



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## POISONS AND HABIT-FORMING DRUGS.<sup>1</sup>

### A Digest of Laws and Regulations Relating to the Possession, Use, Sale, and Manufacture of Poisons and Habit-Forming Drugs Enacted During 1914 and 1915, now in Force in the United States.

By MARTIN I. WILBERT, Technical Assistant, Division of Pharmacology, Hygienic Laboratory, United States Public Health Service.

#### Florida.

##### SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, Chap. 6988—No. 182.)

SECTION 1. It shall be unlawful for any person to carry intoxicating liquors to any church, schoolhouse, picnic, or other public gathering within the county of Bradford, State of Florida, or to drink any such liquors within one-quarter of a mile of any such place or gathering mentioned in this section: *Provided*, This law shall not apply to incorporated towns or cities.

SEC. 2. Violation a misdemeanor.

(Laws 1915, Chap. 7124—No. 318.)

County of Walton, State of Florida, same as above, minus the proviso.

#### Hawaii.

##### SALE AND USE OF POISONS.

(Hawaii, Reg. Bd. of Health.)

SEC. 96. The following substances shall be known as schedule A, drugs and chemicals. They shall be held to constitute poisons within the meaning of chapter 86 of the Revised Laws, and shall not be sold except upon the prescription of a duly licensed practitioner of medicines (R. L., 1095): Alpha eucaine, arsenic, beta eucaine, cannabis indica, chloral hydrate, cocaine, codeine, heroin, hydrocyanic acid, morphine, nux vomica (strychnine), oil of bitter almonds, opium; any of the salts, derivatives, compounds, or preparations of the foregoing substances.

SEC. 97. The following substances shall be known as schedule B, drugs and chemicals. They shall be held to constitute poisons within the meaning of chapter 96 of the Revised Laws, and shall not be sold except under a special license from the board of health or by or under the supervision of a duly licensed physician or pharmacist: Acetanilide, aconite (aconitine), antipyrine, belladonna (atropine), brucine, cantharides, conine (alkaloid of hemlock), croton oil, ergot, hydrastine, savin, phenacetine, phosphorus, tartar emetic; any of the salts, derivatives, preparations, or compounds of the foregoing substances; carbolic acid, chloroform, creosote, muriatic acid, nitric acid, oxalic acid, salts of mercury (corrosive sublimate, red and white precipitate of mercury, etc.), sugar of lead, sulphuric acid.

SEC. 98. The following substances shall be known as schedule C, drugs and chemicals, and may be sold or delivered by persons who have no pharmacist license nor

<sup>1</sup> Continued from last week's Public Health Reports. This digest is the third supplement to Public Health Bulletin No. 58. The two preceding supplements were published as reprints numbered 146 and 240 from the Public Health Reports.

license to sell poisonous drugs, where such substances are sold or delivered in the original unbroken packages, and a record of the sale kept, as provided for in section 1052 of the Revised Laws: Fungicides, insecticides, rat poisons.

SEC. 99. The box, phial, or other package in which any substance included under schedules B and C aforesaid may be sold or delivered shall bear a label containing the words "poison" and "Laau make" in large letters, with emblematic devices showing the skull and crossbones.

SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, act No. 143.)

SECTION 1. Section 2072 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 2072 (as amended). *Sale of opium.*—The board of health may, upon the conditions to be named in such authorization, authorize any duly qualified physician or surgeon, or any person holding a license to sell poisonous drugs, to sell for medicinal purposes only, opium and preparations thereof: *Provided, however,* That no person shall sell or furnish opium or any preparation thereof, except upon written prescription of a duly licensed physician signed by him, and such prescription shall be written in ink, bear the name of the person to whom issued, the date of its issuance, the time of its expiration, and state the maximum quantity that may be sold or furnished under such prescription."

SEC. 2. Section 2075 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 2075 (as amended). *Using or smoking opium; penalty.*—Any person who shall use or smoke opium of any preparation thereof, or have the same in his possession, except as provided in sections 2072 and 2074, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not less than \$10 nor more than \$100, or by imprisonment not more than six months."

(Laws 1915, act No. 187.)

An act providing for the care, control, and treatment of persons addicted to the excessive use of drugs or liquor and of insane persons of the acute and curable class.

SECTION 1. There shall be established and used in connection with the insane asylum of the Territory of Hawaii a separate department or branch thereof, to be known as the "detention house," which shall be specially designated and equipped for the active and special medical care and treatment of insane persons of the acute and curable class, or whose recovery or improvement would in the judgment of the commissioners of insanity be facilitated by their detention separate and apart from other inmates of the asylum whose character of affliction, conduct, or presence would tend to retard recovery in such apparently curable cases, and where separate provision and accommodation may be made for patients more suitably with reference to their customary station in life and where patients may be separately maintained and treated wholly or in part at the expense of their own estate or relatives or other persons who may make provision therefor.

SEC. 2. *Special ward.*—There shall be a special ward in said detention house for the reception and special care, control, and treatment of persons not necessarily insane but committed thereto as patients addicted to the excessive use of drugs or liquor.

SEC. 3. For said purposes the board of health is hereby directed to select and set apart or acquire by purchase or otherwise suitable land upon which to erect a suitable building or buildings, and properly equip the same.

SEC. 4. *Management of detention house.*—Said detention house, including the special ward, shall be under the immediate management of the superintendent of the insane asylum subject to the general direction and control of the board of health in the same manner as provided by law for the insane asylum.

**SEC. 5. Use of detention house.**—Any person who has been committed to the insane asylum shall be subject to transfer from the main institution to said detention house or from said detention house back to the main institution, from time to time, as the commissioners of insanity shall in their judgment order or approve. Any such person may also be transferred by the commissioners to said special ward; but no person committed as a patient addicted to the excessive use of drugs or liquor shall be subject to transfer from the special ward to the insane asylum except upon a legal adjudication of his insanity.

**SEC. 6.** Provides for trust funds for maintaining of patients.

**SEC. 7. Proclamation, special ward.**—Upon the completion and equipment of said detention house and special ward the board of health shall report such facts to the governor, who shall thereupon issue a proclamation giving public notice that the said special ward is prepared to receive patients, a copy of which proclamation shall also be forwarded by mail to each circuit judge and district magistrate in the Territory.

**SEC. 8. Examination as to persons addicted to the excessive use of drugs or liquor; petition; warrant.**—Upon the filing in any circuit or district court by any relative, next friend, or any county or city and county sheriff or deputy, of a verified petition setting forth that any person within the jurisdiction of such court is a patient addicted to the excessive use of drugs or liquor and is in need of care and treatment; or that it is dangerous for said person to be at large, and also stating therein the petitioner's relationship, if any, and the indication of lack of self-control of such alleged patient, in the use of any such drugs or liquor, the judge of such court shall require that such alleged patient be brought before him, and when from such petition or otherwise it appears necessary may issue a warrant directed to the sheriff or deputy sheriff of the county or city and county or to the high sheriff or his deputy, requiring him forthwith to arrest and bring such person before the court for examination. It shall thereupon be the duty of the judge of such court to examine the alleged patient brought before him and at such hearing the alleged patient shall have the right to be heard personally or by counsel and to produce and have subpoenaed witnesses on his behalf. Before any such examination shall be made, and if such patient have no other counsel, the judge shall give reasonable notice to the county attorney, who shall appear and take such action as may be necessary to protect the rights of the alleged patient and the interests of the Territory. The judge shall in any case render and file his decision thereon in writing, including a statement of the facts as found by him, and the reasons therefor and enter judgment accordingly, and if the judgment is for commitment shall forward a copy thereof to the superintendent of the insane asylum.

**SEC. 9. Commitment of patients addicted to the excessive use of drugs or liquor; term.**—If it shall be determined by the said judge that the person brought before him for examination is a patient addicted to the excessive use of drugs or liquor, or lacks self-control in the use of any such drugs or liquor, and is in need of detention and special treatment therefor, such person shall be committed by said court to the special ward of said detention house as a patient. The term of detention shall be for an indeterminate period and until such person shall be discharged therefrom according to law, provided that no person shall be confined in said special ward without being released on parole at least once a year.

**SEC. 10. Appeal.**—Said alleged patient addicted to the excessive use of drugs or liquor or any relative or next friend on his behalf may appeal to the commissioners of insanity from any judgment or commitment as aforesaid by filing notice of such appeal in the court of commitment within five days and a copy thereof with the chairman of the commissioners of insanity within 10 days after entry of such judgment of commitment, which appeal may be taken without payment of any costs in the court of commitment. Upon such appeal the commissioners of insanity shall hear and determine the same, in the same manner as by law provided in the case of an appeal

from the commitment of an alleged insane person, and their decision thereon shall be final.

SEC. 11. Provides for voluntary commitment of patients addicted to the excessive use of drugs or liquor.

SEC. 12. Provides a maintenance fund for special ward.

SEC. 13. Provides for treatment of patients addicted to the excessive use of drugs or liquor.

SEC. 14. Provides for parole of patients.

SEC. 15. Provides for discharge of patients.

SEC. 16. Outlines duties and powers of commissioners of insanity.

SEC. 17. Provides for compensation of commissioners.

#### POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, act 78.)

SECTION 1. Section 990 of the Revised Laws of Hawaii, 1915, is hereby amended \* \* \* so that the last clause of said section shall read as follows:

"The term 'food' as used herein shall include all articles used for food, drink, confectionery, or condiment by man or animals, whether simple, mixed, or compound."

#### SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, act 76.)

An act granting to the board of license commissioners power to subpoena and examine witnesses under oath.

(Laws 1915, act 211.)

An act relating to publications of notices of hearing on liquor licenses, amending section 2122 of the Revised Laws of Hawaii of 1915.

#### Iowa.

#### SALE AND USE OF POISONS.

(Iowa Code, Supplement 1915, chap. 18.)

SEC. 2588. *Registered pharmacists, labeling of poisons.*—No person not a registered pharmacist shall conduct the business of selling at retail or offering or exposing for sale, compounding or dispensing drugs, medicines or poisons or chemicals for medicinal use, or compounding or dispensing physician's prescriptions as a pharmacist, nor allow anyone who is not a registered pharmacist to sell or offer or expose for sale, compound or dispense such drugs, medicines, poisons or chemicals or physician's prescriptions except such as are assistants to and under the supervision of one who is a registered pharmacist, and physicians who dispense their own prescriptions only, but no one shall be prohibited by anything contained in this chapter from keeping and selling proprietary medicines and such other domestic remedies as do not contain intoxicating liquors or poisons, nor from selling denatured alcohol and poison fly paper, concentrated lye, or potash having written or printed on the package or parcel its true name and the word "poison," sales of which need not be registered. Whoever violates either provision of this section, for the former shall pay \$5 for each day of its violation, to be recovered in an action in the name of the State, brought by the county attorney under the direction of the commission, and for the latter shall be guilty of a misdemeanor, and punished accordingly. In actions or prosecutions under this chapter it need not be proven that the defendant has not a pharmacist's certificate, but such fact shall be a matter of defense. No one shall be prohibited by the provisions of this chapter, relating to the practice of pharmacy, from selling insecti-

cides or fungicides consisting of hellebore, Paris green, nicotine preparations, arsenical preparations, copper sulphate, formaldehyde, and crude carbolic acid in original packages, provided the package or parcel containing same has plainly written or printed thereon its true name, and if poisonous it shall be conspicuously marked with the word "poison" and its poisonous contents correctly and conspicuously stated in conformity with the national insecticide act of June, 1910. Said insecticides and fungicides shall comply with the law of the State as to strength and purity and the sales of such preparations when marked as specified above need not be registered.

#### SALE AND USE OF INTOXICATING LIQUORS.

(Iowa Code, Supplement 1915, chap. 6.)

SEC. 2382. *Manufacture, sale, or keeping for sale prohibited.*—No one by himself, clerk, servant, employee, or agent shall, for himself or any person else directly or indirectly, or upon any pretense, or by any device, manufacture, sell, exchange, barter, dispense, give in consideration of the purchase of any property or of any services or in evasion of the statute, or keep for sale, any intoxicating liquor, which term shall be construed to mean alcohol, ale, wine, beer, spirituous, vinous, or malt liquor, and all intoxicating liquor whatever, except as provided in this chapter, or solicit, take or accept any order for the purchase, sale, shipment, or delivery of any such liquor, or aid in the delivery and distribution of any intoxicating liquor so ordered or shipped, or own, keep or be in any way concerned, engaged or employed in owning, or keeping any intoxicating liquor with intent to violate any provision of this chapter, or authorize or permit the same to be done; and any clerk, servant, employee, or agent engaged or aiding in any violation of this chapter shall be charged and convicted as principal.

SEC. 2421a. *Common carriers allowed to carry for lawful purposes only.*—It shall be unlawful for any railroad company, express company, or other common carrier, or for any person, corporation, steamboat or steamboat line, to carry any intoxicating liquor into the State or from one point to another within the State for the purpose of delivering or to deliver same to any person, company, or corporation within the State except for lawful purposes.

SEC. 2421b. Carrier must keep record of liquor shipments; delivery to consignee only.

SEC. 2421c. Delivery without receipt or to other than consignee a misdemeanor.

SEC. 2421d. Record of shipments open to law-enforcing officer.

SEC. 2423a. Attempt to collect for liquors illegally sold prohibited.

#### POISONS IN ARTICLES OF COMMERCE.

(Iowa Code, Supplement 1915, chap. 10-A.)

SEC. 4999-a31. For the purposes of this act standards are established for flavoring extracts, vinegar, butter, oysters, and ice cream.

SEC. 4999-a31c. *Terms defined; misbranded food.*—The word "commissioner" whenever used in this act shall be taken to mean the State food and dairy commissioner. The word "food" as used herein shall include all articles used for or entering into the composition of food, drink, confectionery or condiment by man or domestic animals, whether simple or blended, mixed or compound. The term "misbranded" as used herein, shall apply to all articles of food or articles which enter into the composition of food, the package or label of which shall bear any statement, design or device regarding such article, or the ingredients or substances contained therein which shall be false or misleading in any particular and to any food product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

SEC. 4999-a31e. *Adulterated food.*—For the purpose of this act an article of food shall be deemed to be adulterated:

First. If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality, strength, or purity.

Second. If any substance or substances has or have been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it does not conform to the standards established by law.

Fifth. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

Sixth. If it contains any poisonous ingredient, or any ingredient which may render such article injurious to health, or if it contains saccharin, formaldehyde, or boron compounds.

Seventh. If it consists of the whole or any part of a diseased, filthy, rancid, decomposed or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or (if) it is the product of a diseased animal or one that has died otherwise than by slaughter, or if it be a food product which has been damaged by freezing.

Eighth. Candies and chocolates, if they contain terra alba, barytes, talc, chrome yellow, or other mineral substances, or poisonous colors or flavors, or other ingredients deleterious or detrimental to health.

#### PRACTICE OF PHARMACY.

(Iowa Code, Supplement 1915, chap. 18.)

SEC. 2584. Provides that the commission of pharmacy shall consist of three competent pharmacists; shall have the power to make all needed regulations for its government and for the proper discharge of its duties. After July 4, 1915, the State shall be divided into three districts for the purpose of enabling the commission to better enforce the laws relating to the practice of pharmacy.

SEC. 2587. The books and accounts of the commission shall at all times be open to the inspection of the governor or any committee appointed by him.

SEC. 2588. Restricts the practice of pharmacy and the sale of poisons.

SEC. 2589. Provides for examinations.

(Iowa Code, Supplement 1915, chap. 10-A.)

SEC. 4999-a32. *Manufacture or sale of adulterated drugs prohibited.*—No person, firm, or corporation, by himself, officer, servant, or agent, or as the officer, servant, or agent of any other person, firm, or corporation, shall manufacture or introduce into the State or solicit orders for delivery, or sell, exchange, deliver, or have in his possession with the intent to sell, exchange, deliver, or expose or offer for sale or exchange, or deliver any drug which is adulterated or misbranded within the meaning of this act: *Provided*, That none of the penalties set forth in this act shall be imposed upon any common carrier for introducing into the State or having in its possession any adulterated or misbranded drugs, where the same were received by such carrier for transportation in the ordinary course of its business and without actual knowledge of the adulteration or misbranding thereof.

#### Illinois.

##### SALE AND USE OF POISONS.

(Chicago ordinance, Feb. 15, 1915.)

SECTION 1. It shall be unlawful for any person, firm, or corporation to spread or to cause or permit any agent or employee to spread poison for the purpose of killing rats, mice, insects, or other vermin in any street, alley, or public place in the city; and it shall be unlawful for any person, firm, or corporation to spread or to cause

or permit any agent or employee to spread any poison for such purpose in any yard, court, passageway, or other open place on private premises or on the outside of any building or structure on same, or in any place within a building which is open to the general public or where pet dogs, cats, or other domestic animals or fowls have access, without placing same in a receptacle of such kind or character that it can be reached only by the kind of vermin which the poison is intended to kill, or without placing a wire or other guard about same in such a way that no child, domestic animal, domestic fowl, or other harmless creature can reach same.

SEC. 2. Any person violating or failing to comply with the provisions of this ordinance shall be fined not more than \$25 for each offense.

(Chicago ordinance, Dec. 14, 1914.)

SECTION 1. It shall be unlawful for any person, firm, or corporation to give away, sell, offer, or expose for sale, at retail in the city of Chicago, any bichloride of mercury, otherwise known as corrosive sublimate, in the dry form, except in colored tablets inclosed in a sealed container of glass. Said glass container shall be conspicuously labeled with the word "poison" in red letters. Each tablet in said container shall also be individually wrapped and the wrapper shall have conspicuously placed thereon the word "poison" in plain letters. This ordinance shall not apply to tablets containing one-tenth of a grain or less of bichloride of mercury.

SEC. 2. Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be subject to a fine of not less than \$5 nor more than \$200 for each offense.

SEC. 3. This ordinance shall not be effective until March 1, 1915.

(Springfield ordinance, Mar. 23, 1915, art. 9.)

SEC. 77. *Sample medicine.*—No person, firm, or corporation shall be permitted to give away, deposit, or otherwise distribute any sample medicine or material of an alleged medicinal character purporting to be a curative agency, by any means of depositing or leaving same in any hallway, private area, or yard, or upon any porch or doorstep, or in any place in any street, alley, or public or private ground within the city of Springfield.

SEC. 78. *Penalty.*—Any person, firm, or corporation violating any of the provisions of this article shall be fined not less than \$5 nor more than \$100 for each and every offense.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Senate bill, No. 300, p. 500.)

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That sections 1, 12, 13, 14a, 14b, and 14c of an act entitled "An act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain acts therein named, approved May 11, 1901, in force July 1, 1901, as amended by an act approved May 13, 1903, in force July 1, 1903, as amended by an act approved June 3, 1907, in force July 1, 1907, as amended by act approved and in force January 17, 1908, as amended by act June 10, 1911, in force July 1, 1911," be amended to read as follows:

SECTION 1 (as amended). That it shall be unlawful for any person not a registered pharmacist, within the meaning of this act, to open or conduct any pharmacy, dispensary, drug store, apothecary shop, or store, for the purpose of retailing, compounding, or dispensing drugs, medicines, or poisons, and any person violating the provisions of this section shall be liable to a penalty of not less than \$20 or more than \$100 for the first offense, and for each succeeding offense not less than \$50 or more than \$200: *Provided, however,* That nothing in this act will prevent any person or persons owning a drug store or pharmacy, who shall employ and place in active and



personal charge of the same a registered pharmacist, and that nothing herein contained shall apply to or in any manner interfere with the practice of any physician or prevent him from supplying to his patients such articles as may seem to him proper, or with the exclusive wholesale business of any wholesale druggist: *Provided further*, That nothing contained in this act shall apply to the sale of patent or proprietary preparations and remedies which do not contain opium or coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof when sold in original and unbroken packages only.

SEC. 12 (as amended). No person shall sell at retail any drug, medicine, or poison without affixing to the box, bottle, vessel, or package containing the same a label bearing the name of the article distinctly shown, with the name and place of business of the registered pharmacist from whom the article was obtained: *Provided*, That nothing contained in this section shall apply to the sale of patent or proprietary preparations and remedies which do not contain opium or coca leaves or any compound, manufacture, salt, derivative, or preparation thereof when sold in original and unbroken packages only, or to the dispensing of prescriptions of licensed physicians, licensed dentists, or licensed veterinarians, or with the sale of Paris green or lead arsenate, or other poisonous substances or mixtures of poisonous substances, in unbroken packages, for use in the arts or for insecticide purposes: *Provided*, They bear a label with the name, or names, of such poisonous substances and the word "poison" printed thereon in prominent type and the names of at least two readily obtainable antidotes with directions for their administration.

Every proprietor or manager of a drug store or pharmacy shall keep in his place of business a suitable book or file, in which shall be preserved for a period of not less than two years the original of every prescription compounded or dispensed at such store or pharmacy, numbering, dating, and filing them in the order in which they were compounded, and shall produce the same in court or before any grand jury whenever thereto lawfully required. Said book or file of original prescriptions shall at all times be open to inspection by the prescriber, the board of pharmacy, and all officers of the law. Any person failing to comply with the requirement of this section shall be liable to a penalty of \$20 for every such violation.

SEC. 13 (as amended). Any person who shall willfully make any false representation to procure registration for himself or any other person, or who shall make false representation as to his registration as an apprentice, assistant pharmacist, or registered pharmacist, shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than \$50 or more than \$100 for every such offense.

SEC. 14a (as amended). It shall be unlawful for any person, firm, or corporation to sell, barter, exchange, distribute, or give away any opium or coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof, excepting in pursuance of the written prescription of a licensed physician, licensed dentist, or licensed veterinarian who is registered with the United States collector of internal revenue in the district in which he resides, in accordance with the provisions of an act of Congress entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914; said prescription shall contain the name and address of the person for whom prescribed (or if prescribed by a veterinarian, shall state the kind of animal for which prescribed and the name of the owner thereof), shall be dated as of the day it is signed, and shall also be dated as of the day it is filed, shall not be altered or changed by any person except the physician, dentist, or veterinarian by whom it is signed, and shall be retained on file by the person, firm, or corporation by whom the same is filled for a period of not less than two years, and it shall be filled but once, and

of it no copy shall be made by any person except for the purpose of record by the physician, dentist, or veterinarian by whom it is signed, or by the board of pharmacy and officers of the law, and it shall at all times be open to the inspection of the prescriber, the board of pharmacy, and all officers of the law.

Nothing contained in this section shall apply—

(a) To the dispensing or distribution of any of the substances mentioned in this section to a patient by a licensed physician, licensed dentist, or licensed veterinarian, who is registered under the act of Congress herein mentioned, in the course of his professional practice only: *Provided*, That such physician, dentist, or veterinarian shall keep a record of all such drugs, dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such substances are dispensed or distributed (if a veterinarian the kind of animal for which such substances are dispensed or distributed, and the name of the owner thereof) except such as may be dispensed or distributed to a patient upon whom such physician, dentist, or veterinarian shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or distributing such substances, subject to inspection by the board of pharmacy and all officers of the law. The making of any record required by any other law of this State, or of the United States, which record shall set forth the facts above required to be stated shall be deemed sufficient compliance with the provisions of this section.

(b) To sales made by a manufacturer of any of the drugs mentioned, or a wholesale dealer in drugs, or a retail druggist, to other such manufacturers, wholesale dealers in drugs, or retail druggists; or to sales made to manufacturers of medicinal preparations for use in such preparations only, or to sales made to hospitals, colleges, scientific or public institutions, or to licensed physicians, licensed dentists, or licensed veterinarians, in accordance with the provisions of the act of Congress herein mentioned.

(c) To the sale, distribution, giving away, or dispensing by persons registered under the provisions of the act of Congress herein mentioned, of preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth grain of morphine, or more than one-eighth grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them in 1 fluid ounce, or if a solid or semisolid preparation in 1 avoirdupois ounce, or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts, or alpha, or beta eucaine, or any of their salts: *Provided*, That all such preparations shall contain other active drugs in sufficient proportions to confer upon them other and additional medicinal properties than those possessed by the unmixed drugs, salts, or alkaloids specified in this section: *And provided further*, That all such drugs, preparations, or mixtures are sold, dispensed, or distributed for use as medicines, and for the purpose of evading the intention of this section.

(d) To the sale of decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine, or to constituents or derivatives of opium or coca leaves or to synthetic substitutes therefor, which do not possess narcotic or habit-forming properties. It shall be unlawful for any person to falsely assume or use the title licensed physician, licensed dentist, or licensed veterinarian, or to falsely assume or use any other professional title or degree or abbreviation thereof, or for any person to falsely represent himself to be a manufacturer of drugs and medicines, wholesale dealer in drugs, or retail druggist, for the purpose of obtaining any of the substances specified in this section.

SEC. 14b (as amended). It shall be unlawful for any licensed physician, or licensed dentist, or other person, to furnish or prescribe for the use of any habitual user any of the substances mentioned in section 14a of this act, or for any licensed dentist to furnish or prescribe any of the said substances for the use of any person not under his

immediate treatment as a dentist, or for any other purpose than as a part of such treatment, or for any veterinarian to prescribe or furnish any of the said substances for the use of any human being. The provisions of this section shall not be construed to prevent any licensed physician from prescribing for the use of any patient under his care for the treatment of a drug habit, or dispensing to such patient such substances as he may deem necessary for such treatment: *Provided*, That such prescriptions and treatment are given in good faith and not for the purpose of evading the intentions of this act: *And provided further*, That such physician shall keep a record in a suitable book of all such drugs so prescribed, dispensed, or given, showing in each instance the amount so prescribed, dispensed, or given, the date when, and the name and address of the patient for or to whom such drugs are so prescribed, dispensed, or given, which record shall be preserved for a period of two years from the date of such prescribing, dispensing, or giving, in such a manner as to be readily accessible to inspection by the board of pharmacy and all officers of the law.

Sec. 14c (as amended). Any person, firm, or corporation violating any of the provisions of the foregoing sections 14a and 14b shall be guilty of a misdemeanor, and for the first offense shall be fined not more than \$1,000 or imprisoned in the county jail not more than one year, or both, and for each succeeding offense fined not less than \$200 nor more than \$1,000, or imprisoned not less than three months nor more than 12 months in the county jail, or both; and if the person so offending shall have a license or certificate as a physician, dentist, pharmacist, or veterinarian, such license or certificate may be suspended or revoked by the board or officer of the State duly empowered to issue such license or certificate, after a fair hearing held upon a reasonable notice. Prosecutions for the violation of the foregoing sections 13, 14a, and 14b shall be carried on in the same manner as for violation of the criminal code, and all fines collected in prosecutions shall inure to the board of pharmacy: *Provided*, That a person, firm, or corporation authorized by law to compound and dispense physicians' prescriptions shall not be held liable for the innocent compounding and dispensing of any of the substances specified in section 14a of this act, in consequence of a false, fraudulent, or forged prescription, which he in good faith believed to be the prescription of a licensed physician, licensed dentist, or licensed veterinarian, issued for a lawful purpose: *And provided further*, That suits for the recovery of the penalties prescribed in the other sections of this act shall be prosecuted as provided in section 15.

(Quincy, Ill., ordinance 120, Feb. 1, 1915.)

SECTION 1. No person, firm, or corporation shall sell, offer for sale, or give away any opium, morphine, heroin, or codeine, or any of their salts or derivatives, or any compound or preparation of any of them which contains more than 2 grains of opium, or one-quarter grain of morphine, or salts thereof, or one-eighth grain of heroin, or salts thereof, or 1 grain of codeine, or salts thereof, in 1 fluid ounce, or, if a solid preparation, in 1 avoirdupois ounce, except upon the written order or written prescription of a duly licensed registered physician, licensed registered dentist, or licensed registered veterinarian, which prescription shall contain the name and address of the person for whom prescribed (or if prescribed by licensed veterinarian shall state the kind of animal for which prescribed and the name of the owner thereof), and the date the same shall have been filled, and shall be permanently retained on file by the person, firm, or corporation by whom it was filled; and it shall be filled but once, and of it no copy shall be taken by any person, and the original prescription shall at all times be open to the inspection of the prescriber, the State board of pharmacy, and all officers of the law: *Provided*, That nothing in this section shall be construed to prevent the legitimate administration of said drugs, their salts, compounds, and derivatives by a licensed registered physician, licensed registered dentist, or licensed registered veterinarian: *And provided further*, That none of the exemptions contained in this section shall apply when opium, morphine, heroin,

or codeine, or any of their salts or derivatives, are sold or dispensed in simple solutions or with inert substances: *And provided also*, That nothing herein contained shall prohibit the sale of liniments which contain some substance which renders such liniments unfit for internal use.

SEC. 2. It shall be unlawful for any person, firm, or corporation to sell, offer for sale, or give away any paregoric, except upon the written order or written prescription of a duly licensed registered physician.

SEC. 3. Such opium, morphine, heroin, and codeine, or any salt or any compound or any derivative of them, or any preparation or compound containing any of them in excess of the amounts provided in section 1, may lawfully be sold at wholesale upon the written order of a registered pharmacist, licensed registered physician, licensed registered dentist, or licensed registered veterinarian. The wholesale dealer shall, before delivering any of the aforesaid substances, make or cause to be made a record of the sale thereof, stating the date of sale, the quantity, name, and form in which sold, the name and address of the purchaser, and the name of the person by whom the sale is made; and the said record shall be always open for inspection by the proper authorities of the law and shall be preserved for at least five years: *Provided*, That nothing in this section contained shall permit the sale of any such drugs to any habitual user thereof, knowing him to be such.

SEC. 4. It shall be unlawful for any person, firm, or corporation to sell, offer for sale, or give away any opium, morphine, heroin, or codeine, or any of their salts or derivatives, or any compound or preparation of any of them, to any habitual user of the same, knowing him to be such: *Provided*, Any licensed registered physician may, in good faith, prescribe or furnish for the use of any habitual user of said drug who is under his professional care such substances as he may deem necessary for his treatment, when such prescriptions are not given or substances furnished for the purpose of evading the provisions of this ordinance.

SEC. 5. Every licensed registered physician shall keep a record showing the name and address of every habitual user thereof to whom such physician administers or disposes of, in any way whatsoever, any cocaine, eucaine, opium, morphine, heroin, or codeine, or any of their salts, alkaloids or derivatives, or any compound or preparation of any of them, with the date thereof, and the quantity so administered or disposed of in any way. Such record shall be preserved for five years and shall always be open to the inspection of duly authorized officers of the law.

SEC. 6. Any person, firm, or corporation who shall violate any of the provisions or sections of this ordinance shall be fined not less than \$100 nor more than \$200 for each offense.

#### DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, S. B. 356, p. 713.)

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That sections 1, 2, 3, 4, and 8 of an act entitled "An act to regulate the sale and analysis of concentrated feeding stuffs," approved May 18, 1905, and in force July 1, 1905, as amended by subsequent acts, be and the same are hereby amended so as to read as follows:

SECTION 1 (as amended). Every lot or parcel of concentrated commercial feeding stuffs, as defined in section 2 of this act, used for feeding live stock or poultry, sold or offered or exposed for sale within this State, shall have affixed thereto, in a conspicuous place on the outside thereof, a plainly printed statement in the English language clearly and truly certifying—

(a) The net weight of the contents of the package, lot, or parcel.

(b) The name, brand, or trade-mark.

(c) The name and principal address of the manufacturer or the person or persons responsible for placing the commodity on the market.

(d) The minimum per centum of crude protein, the minimum per centum of crude fat, and the maximum per centum of crude fiber (to be determined by the methods adopted by the Association of Official Agricultural Chemists of the United States).

(e) The specific name of each ingredient used in its manufacture. A copy of said statement shall be filed with the State food commissioner during the month of December of each year, or before any concentrated commercial feeding stuffs is offered for sale, exposed for sale, or sold.

If the feeding stuffs is sold in bulk there shall be placed in a prominent position upon the bin or other container in which such feeding stuffs is contained a placard in large letters of not less than one-half inch in length which shall clearly set forth the requirements contained in subsections *b*, *c*, *d*, and *e* of this section, so as to be easily read by customers, or if it is put up in packages belonging to the purchaser, the agent or dealer shall furnish him with a certified statement described in this section.

(Laws 1915, H. B. 663, p. 700.)

**SEC. 9. Misbranded defined.**—The term “misbranded” as used herein shall apply to all articles of food or drink, or articles which enter into the composition of food or drink, the packages or labels of which shall bear any statement, design, or device regarding such article, or the ingredients or substance contained therein, which shall be false or misleading in any particular; and to any such products which are falsely branded as to manufacture, packer, or dealer who sells the same, or as to the State, Territory, or country in which it is manufactured or produced. That for the purpose of this act an article shall also be deemed to be misbranded, in case of food—

First. If it be an imitation of or offered for sale under the distinctive name of another article, or if it does not conform to the standards set forth in this act.

Second. If it be labeled or branded so as to deceive or mislead the purchaser, or purports to be a foreign product when not so, or if the contents of a package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it shall bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilid, or any derivative or preparation of any such substances contained therein

#### POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, H. B. 663, p. 700.)

**SEC. 8. Defines adulteration.**—That for the purpose of this act an article shall be deemed to be adulterated—

In case of confectionery:

First. If it contains terra alba, barytes, talc, chrome yellow, paraffin, mineral fillers, or poisonous substances, or poisonous color or flavor.

Second. If it contains any ingredient deleterious or detrimental to health, or any vinous, malt, or spirituous liquor or compound, or narcotic drug.

In case of food:

First. If any substance has been mixed or packed with it so as to reduce or lower or injuriously affect its quality, strength, or purity.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted or left out: *Provided*, That in the manufacture of skim or separated cheese the whole or part of the butter fats in the milk may be abstracted.

Fourth. If it be mixed, colored, powdered, coated, polished, or stained in any manner whereby damage or inferiority is concealed, or it is made to appear better or of greater value than it really is.

Fifth. If it contains any added poisonous or other added deleterious ingredient which may render such article injurious to health: *Provided*, That when in the pre-

paration of food products for shipment they are preserved by an external application, applied in such a manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservatives shall be printed on the covering of the package, the provisions of this act shall be construed as applying only when such products are ready for consumption; and formaldehyde, hydrofluoric acid, boric acid, salicylic acid and all compounds and derivatives thereof are hereby declared unwholesome and injurious \* \* \*

Sec. 33. Standard of purity and strength to be used in the enforcement of this act and in the construction thereof \* \* \*

(Evanston ordinance, Mar. 26, 1913, art. 11.)

1940. *Sale of adulterated food prohibited; penalty.*—That it shall be unlawful for any person, firm, or corporation within the city of Evanston to manufacture for sale, produce, or offer for sale or sell any article of food or drug which is adulterated, misbranded, or insufficiently labeled within the meaning of this ordinance; and any person, firm, or corporation who shall manufacture for sale, produce, or offer for sale, expose for sale, have in his possession for sale, or sell any article of food or drug which is adulterated, misbranded, or insufficiently labeled within the meaning of this ordinance, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$10 nor more than \$200.

1941. *Food; defined.*—That the term "food" as used in this article shall include every article used for or entering into the composition of or used or intended for use in the preparation of food or drink for man or domestic animals.

1942. *Defines adulteration.*—That for the purpose of this article an article shall be deemed to be adulterated:

In case of confectionery.—

1. If it contains terre alba, barytes, talc, chrome yellow, paraffin, mineral fillers, or poisonous substances, or poisonous color or flavor.

2. If it contains any ingredient deleterious or detrimental to health, or any vinous, malt, or spiritous liquor or compound or narcotic drug.

In case of food—

1. If any substance has been mixed or packed with it so as to reduce or lower or injuriously affect its quality, strength, or purity.

2. If any substance has been substituted wholly or in part for the article.

3. If any valuable constituent of the article has been wholly or in part abstracted: *Provided*, That in the manufacture of skim milk or separated cheese, the whole or part of the butter fats in the milk may be abstracted.

4. If it be mixed, colored, powdered, coated, polished, or stained in any manner whereby damage or inferiority is concealed, or it is made to appear better or of greater value than it really is.

5. If it contains any added poisonous or other added deleterious ingredients which may render such article injurious to health.

6. If it consists in whole or in part of a filthy decomposed or putrid, infected, tainted, or rotten animal or vegetable substance or article, or any portion of any animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal or one that has died otherwise than by slaughter.

1948. *Preservatives and coloring matter.*—Standard preservatives are salt, sugar, vinegar, spices, and their essential oils, wood smoke, edible oil, and fats and alcohol.

The use, in food products, of any other preservative, anti-septic substance, or coloring matter, or of any substance which preserves or enhances the natural color of a food product will not be permitted—

1. If it is poisonous or injurious to health, under the conditions of its use in foods. Among such substances are fluorids, beta naphthol, formaldehyde, salts of copper, salicylic acid and its salts, boric acid and its salts, sulphurous acid and its salts, benzoic

acid and its salts, saccharine and sodium sulphite. The use of one-tenth of 1 per cent of benzoate of soda is allowed if the amount is clearly stated on bottle or label.

2. If it is not one of the artificial colors permitted by the latest Federal pure food and drug act, the presence of the same being properly declared upon the label.

3. Coloring matter when added to any article of food (except butter, cheese, and confectionery) shall be clearly indicated on the front of the package by the words "artificially colored," "vegetable coloring," etc.

#### METHYL ALCOHOL.

(Chicago, Ill., ordinance, Mar. 29, 1915.)

SECTION 1. No person, firm, or corporation shall have, sell, or offer for sale any food or drink which contains methyl alcohol (commonly known as wood alcohol), or any preparation or mixture of any kind whatsoever containing methyl alcohol, intended for internal use by man. Any preparation or mixture containing methyl alcohol intended for external use by man, or so used, shall, when offered for sale, sold, or used, be conspicuously labeled "Wood alcohol" or "This preparation contains wood alcohol" and the word "poison," together with a skull and crossbones. The word "poison" and the skull and crossbones shall be printed in red ink and shall be at least one-quarter of an inch in height.

SEC. 2. Any person, firm, or corporation who shall violate the requirements of this ordinance shall be fined not less than \$5 nor more than \$100 for each offense.

#### Kansas.

##### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 235.)

An act making it unlawful for any person under the influence of intoxicating liquor or any exhilarating or stupefying drug to drive or have charge of any vehicle propelled by other than muscular power upon the public highways of this State and providing a penalty for violation of this act.

SECTION 1. It shall be unlawful for any person under the influence of intoxicating liquor or any exhilarating or stupefying drug to drive, operate or have charge of the power or guidance of any automobile, motor cycle or any motor vehicle propelled by other than muscular power, upon any public road, highway, street, avenue, driveway, or alley within the State of Kansas. And that the taking or use of any intoxicating liquor or exhilarating or stupefying drug by the person driving, operating, or in charge of the power and guidance of any automobile, motor cycle, or other vehicle or while operating such vehicle propelled by other than muscular power, within a reasonable time prior to taking charge or guidance of such vehicle shall be construed as prima facie evidence that such person is under the influence thereof.

SEC. 2. That any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$25 or be imprisoned in the county jail for a period not less than 10 days.

SEC. 3. This act shall take effect and be in force from and after its publication in the official State paper.

##### SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 232.)

An act amending section 1 of chapter 165 of the session laws of 1911, being "An act providing a punishment for persistent violation of the prohibitory liquor law" and repealing original section.

SECTION 1. That section 1 of chapter 165 of the session laws of 1911 be amended so as to read as follows:

SECTION 1. Any person who, having once been duly convicted of violations of the prohibitory law and who shall thereafter, directly or indirectly, violate the provisions of the prohibitory liquor law, shall be considered a persistent violator of the prohibitory liquor law and shall be deemed guilty of a felony, and upon conviction thereof shall be imprisoned in the State penitentiary at hard labor for not more than one year; and every violation, directly or indirectly, of any provision of the prohibitory liquor law, by a person who has heretofore been or shall hereafter be once convicted of any violation of the prohibitory liquor law, shall be considered a separate and distinct felony.

SEC. 2. That section 1 of chapter 165 of the session laws of 1911 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its publication in the statute book.

(Laws 1915, chap. 234.)

An act making cities of the State of Kansas liable for damages caused by intoxicated persons, and prescribing how and in whose favor actions for such damages may be brought.

SECTION 1. That every wife, child, parent, guardian, or employer, or other person, who shall be injured in person or property or means of support by any intoxicated person, or in consequence of intoxication, habitual or otherwise, of any person, shall have a right of action in his or her own name against any incorporated city of this State wherein the intoxicating liquors were sold, bartered, or given away in violation of law which caused the intoxication of such person, for all damages actually sustained, as well as exemplary damages: *Provided*, it shall be a full defense to any such action for damages that the mayor, police judge, and police officers of such city, at the time of the injury for which the recovery of damages is sought, as above set out, were endeavoring in good faith to enforce the prohibitory liquor laws in such city and the city ordinances, if any, in reference thereto, and were in good faith complying with the provisions of section 4368 of the General Statutes of Kansas of 1909; or if it be shown that such mayor, police judge, and police officers had no actual notice or knowledge that intoxicating liquors were being sold, bartered, or given away in such city contrary to law, and could not, by the use of reasonable diligence, have obtained such notice or knowledge; and a married woman shall have the right to bring suit, prosecute and control the same and the amount recovered under the provisions of this act the same as if unmarried; and all damages recovered by a minor under this act shall be paid either to such minor or to his or her parents, guardian, or next friend as the court shall direct; and all suits for damages under this act shall be by civil action in any of the courts of this State having jurisdiction thereof.

SEC. 2. This act shall take effect and be in force from and after its publication in the statute book.

(Laws 1915, chap. 305.)

An act designating Frances Willard day in the public schools of the State, and requiring instruction and appropriate exercises relative to the history and benefits of prohibition upon said day.

(Laws 1915, chap. 394.)

Resolution relating to prohibition:

Whereas the liquor interests throughout the country and those allied with them in their nefarious business are publishing abroad in form of paid advertisements in the newspapers certain false and defamatory statements to the effect that prohibition in Kansas has caused increase in crime, death rate, homicides, suicides, divorces, and juvenile delinquents; and



Whereas the saloon trust is making use of juggled statistics, falsehoods manufactured by criminal interests, allied to the alcohol vendors, and derogatory statements made by a few unreliable and irresponsible citizens of Kansas, all with the intention of creating prejudice in the minds of the legislators of other States, and thus influencing proposed antiliquor legislation; and

Whereas there is a lobby, the members of which profess to be Kansas men, operating in the legislature of the State of Utah and alleging that evil follows in the train of prohibition, and that the enforcement of the prohibitory law in Kansas has resulted in multiplying crime, and deteriorating all the mental and moral faculties of the people of Kansas: Therefore be it

*Resolved by the Senate, the House of Representatives concurring therein,* That all such charges are libelous and false and do but represent the sentiments of men who, when this State exiled the saloon, were compelled to leave Kansas for her good.

*Resolved,* That the reverse of these statements is true; that the State of Kansas is cleaner, better, more advanced in mental culture, and stronger in moral fiber and conviction; that her homes are happier and more comfortable, her children better educated than ever before in her history; that crime is less prevalent and poverty less general; and that all this is due largely to the fact that the saloon is such an outlaw that none of her school children have ever seen a saloon, and are unacquainted with the appearance of a saloon keeper. And be it further—

*Resolved,* That, we, as representatives of the people of Kansas, hereby declare our allegiance to the cause of temperance, sobriety, and right living as exemplified by the ultimate result of constitutional prohibition, and its enforcement in our midst, and that we are opposed to any return to the domination of intoxicating liquors, and that no proposition looking to a resubmission of the prohibitory amendment, and that no law which has for its object the reestablishment of places for the sale of liquor anywhere in Kansas will be given serious consideration, either by this legislature or by any of its committees.

*Resolved,* That a copy of these resolutions be spread upon the journals of the house and senate, and that the chief clerk of the house, and the secretary of the senate are directed to send certified copies of this resolution to all States of the Union which now have legislatures convened and in session for the enactment of laws.

### Louisiana.

#### DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, No. 282.)

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That it shall be unlawful for any person to manufacture within this State any article of food or drug which is adulterated or misbranded, within the meaning of this act; and any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and for each offense shall, upon conviction thereof, be fined not to exceed \$500, or shall be sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court; and for each subsequent offense and conviction thereof shall be fined not less than \$1,000 or sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court.

SEC. 7. *Be it further enacted, etc.,* That for the purposes of this act an article shall be deemed to be adulterated in case of drugs—

First. If, when a drug is sold under or by a name recognized in the United States pharmacopœia or National Formulary, it differs from the standard of strength, quality, or purity, as determined by the test laid down in the United States Pharmacopœia or National Formulary official at the time of investigation; provided that no drug defined in the United States Pharmacopœia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality, or purity be

plainly stated upon the bottle, box, or other container thereof, although the standard may differ from that determined by the test laid down in the United States Pharmacopœia or National Formulary.

Second. If its strength or purity fall below the professed standard or quality under which it is sold. \* \* \*

(Amendments to the Sanitary Code, Feb. 18, 1915.)

The expression "proprietary or patent medicine," for the purpose of this section, shall be taken to mean and include every medicine or medicinal compound, manufactured, prepared, or intended for internal human use, the name, definition, or composition of which is not to be found in the United States Pharmacopœia or National Formulary, or which does not bear the name of each ingredient conspicuously, clearly, and legibly set forth, in English, on the outside of each bottle, box, or package in which the said medicine or medicinal compound is held, offered for sale, sold, or given away.

The provisions of this section shall not, however, apply to any medicine or medicinal compound, sold or given away upon the written prescription of a duly licensed physician or dentist provided such medicine or medicinal compound be sold or given away to or for the use of the person for whom it shall have been prescribed, and provided also that the said prescription shall have been filed at the establishment or place where such medicine or medicinal compound is sold or given away, in chronological order according to the date of the receipt of such prescription at such establishment or place. Every prescription shall remain so filed for a period of two years.

The names of the ingredients of proprietary and patent medicines registered in accordance with the terms of this section and all information relating thereto or connected therewith shall be regarded as confidential and shall not be open to inspection by the public or any person other than the official custodian of such records in the State board of health, such persons as may be authorized by law to inspect such records and those duly authorized to prosecute or enforce the Federal Statutes, the laws of the State of Louisiana, both criminal and civil, and the ordinances of any parish or municipal board of health, police jury, or council, or commission of the State of Louisiana, but only for the purpose of such prosecution or enforcement.

No manufacturer, dealer, agent, salesman, or saleswoman shall cause to be printed, written, or indicated on any bottle, wrapper, carton, or other container, in any newspaper, circular, poster, handbill, or otherwise, any advertisement of any proprietary or patent medicine, with intent to sell, give away, barter, exchange, or in anywise dispose of same, which contains any assertion, representation, or statement of fact untrue, deceptive, or misleading. The penalty for the violation of this regulation shall be as provided in section 3 of act 98 of 1906, as follows:

That any person violating any of the provisions of said sanitary code, shall on conviction by any court of competent jurisdiction, be fined not less than \$10 nor more than \$200 for the first offense, not less than \$25 nor more than \$400 for the second offense, not less than \$50 nor more than \$500, or imprisonment for not less than 10 days nor more than six months, or both in the discretion of the court, for each subsequent offense.

This regulation shall become effective September 18, 1915 \* \* \*

#### POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, act No. 213.)

To establish and regulate the branding of all foods sold in package form to show the quantity, and to establish the authority of the Louisiana State Board of Health in the enforcement of the act.

SEC. 3. *Be it enacted, etc.,* That the term "an article of food" as used herein, shall include all articles used as food, drink, confectionery, or condiment by man or other

animals, whether simple, mixed, or compound. "In package form" shall mean any container, whether glass, tin, wood, or paper in which the article of food is packed and, with its contents, sold, offered for sale, or in possession for sale. The terms "weight or measure" shall mean the net weight or net measure in terms in accordance with trade customs.

(Laws 1915, act No. 282.)

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That it shall be unlawful for any person to manufacture within this State any article of food or drug which is adulterated or misbranded, within the meaning of this act; and any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and for each offense shall, upon conviction thereof, be fined not to exceed \$500, or shall be sentenced to one year's imprisonment, or both such fine and imprisonment in the discretion of the court, and for each subsequent offense and conviction thereof shall be fined not less than \$1,000 or sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court.

SEC. 3. *Be it further enacted, etc.*, That the State board of health shall make uniform rules and regulations for carrying out the provisions of this act, including the collection and examination of specimens of foods and drugs manufactured or offered for sale in this State or which shall be received from any foreign country, or intended for shipment to any foreign country.

SEC. 4. *Be it further enacted, etc.*, That the examinations of specimens of foods and drugs shall be made by the State board of health, or under the direction of the State board of health, for determining from such examinations whether such articles are adulterated or misbranded within the meaning of this act; and if it shall appear from any such examination that any of such specimens is adulterated or misbranded within the meaning of this act, the Secretary of the board shall cause the notice thereof to be given to the party from whom such sample was obtained. Any party so notified shall be given an opportunity to be heard, under such rules and regulations as may be prescribed as aforesaid, and if it appears that any of the provisions of this act have been violated by such party, then the secretary of the board shall at once certify the facts to the proper district attorney of the board, with a copy of the results of the analysis or the examination of such authorized by the analyst or officer making such examination, under the oath of such officer. After judgment of the court, notice shall be given by publication in such manner as may be prescribed by the rules and regulations aforesaid. \* \* \*

SEC. 6. *Be it further enacted, etc.*, That the term \* \* \* food as used herein shall include all articles used for food, drink, confectionery, or condiment by man or other animals, whether simple, mixed, or compound.

SEC. 7. *Be it further enacted, etc.*, That for the purposes of this act an article shall be deemed to be adulterated \* \* \*—

In case of confectionery:

If it contain terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous color or flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt, or spirituous liquor or compound or narcotic drug.

In the case of food:

First. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality of strength.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed.

Fifth. If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: *Provided*, That when in the

preparation of food products for shipment they are preserved by any external application applied in such manner that the preservation is necessarily removed mechanically, or by mercuration in water, or otherwise, and directions for the removal of said preservative shall be printed on the covering or the package, the provisions of this act shall be construed as applying only when said products are ready for consumption.

Sixth. If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of any animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter \* \* \*

#### PRACTICE OF PHARMACY.

(Laws 1915, act No. 165.)

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana, That* section 2 of act 66 of the acts of 1888, approved July 11, 1888, as amended and reenacted by act 144 of the acts of 1902, approved July 8, 1902, be, and the same is hereby; amended and reenacted so as to read as follows, to wit:

SEC. 2 (as amended). *Be it further enacted, etc., That* after December 31, 1914, any person 21 years of age presenting an affidavit setting forth a practical experience of four years in the manipulating and compounding of physicians' prescriptions in drug stores under the supervision of a registered pharmacist, shall be entitled to registration after passing a satisfactory examination before the State board of pharmacy; and any person 18 years of age shall be entitled to registration as a qualified assistant after having two years' apprenticeship service under a registered pharmacist, and having passed a satisfactory examination before the State board of pharmacy. A qualified assistant shall have the right to act as clerk or salesman in a drug store, and assume charge thereof for not more than 24 consecutive hours during the absence of the registered pharmacist thereof. It shall be the duty of all registered pharmacists who take into their employ an apprentice for the purpose of becoming a pharmacist to report to the board of pharmacy such facts regarding his schooling and preliminary qualifications as the State board of pharmacy may require for the purpose of registration. The State board of pharmacy shall furnish the proper blanks for this purpose, and issue a certificate as a registered apprentice at a cost of not more than \$1. Every registered pharmacist and qualified assistant shall apply for a renewal of said certificate annually on or before January 1, and pay therefor to the treasurer of the State board of pharmacy the sum of \$1. Any registered pharmacist or qualified assistant failing to apply for a renewal of certificate annually shall have his or her certificate revoked by the State board of pharmacy, and shall cease to have authority to carry on the practice of pharmacy until he or she shall have paid to the treasurer of the State board of pharmacy the registration fee.

SEC. 2. *Be it further enacted, etc., That* section 5 of act 66 of the acts of 1888, approved July 11, 1888, be, and the same is hereby, amended and reenacted to read as follows, to wit:

SEC. 5 (as amended). *Be it further enacted, etc., That* where the applicant neither furnishes the diploma or affidavit required by the foregoing sections he shall have the right to registration after having passed a satisfactory examination by the board of pharmacy, as to his qualifications and capacity, which board shall thereupon register the applicant, and shall grant to him a certificate of registration as a pharmacist, the same as in the case of the production of a diploma or affidavit as hereinbefore provided. The board of pharmacy may grant certificates of registration to licentiates of such other State boards, or the duly constituted authorities of other countries, without further examination. The board of pharmacy shall have the right to exact and collect from applicants, before issuing of a certificate, \$15 for an examination of the

applicant. No apprentice or employee in any pharmacy or drug store shall be required or permitted to work more than 70 hours per week on a two weeks' basis: *Provided*, That nothing in this section prohibits the working overtime any week for the purpose of making a shorter succeeding week: *Provided, however*, That the aggregate number of hours in any such two weeks shall not exceed 140 hours; the hours shall be so arranged that an employee shall be entitled and shall receive at least one full day in two consecutive weeks \* \* \*

#### STANDARDS FOR DRUGS.

(Laws 1914, No. 282.)

For preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, medicines, and liquors, and for regulating traffic therein, and for other purposes.

SEC. 6. *Be it further enacted, etc.*, That the term "drug" as used in this act shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of either man or other animals. The term "food" as used herein shall include all articles used for food, drink, confectionery, or condiment by man or other animals, whether simple, mixed, or compound.

#### Maine.

#### SALE AND USE OF POISONS.

(Laws 1915, chap. 217.)

SECTION 1. No person shall use dynamite or any poisonous or stupefying substance whatever for the purpose of destroying or taking any kind of fish in tidal waters, under a penalty of \$100 and costs, and in addition thereto, two months' imprisonment in the county jail for each offense.

SEC. 2. No person shall buy, sell, give away, or expose for sale, or possess for any purpose any fish taken by use of dynamite or any poisonous or stupefying substance; and no person while engaged in fishing shall carry in his fishing boat or vessel any dynamite or other explosives, or any poisonous or stupefying substance. Whoever violates the provision of this section shall be subject to a fine of \$100 and costs, and in addition thereto shall be imprisoned for a term of 60 days.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 142.)

Section 7 of chapter 211 of the public laws of 1913 is hereby amended by striking out after the word "indicated" in the ninth line thereof the following words: "And the aforesaid practitioners shall keep a record in a book kept solely for that purpose of the name and address of the patient treated, the name of the disease indicated, and the quantity of the drug dispensed, furnished, or given away on each separate occasion, which record shall be made within 48 hours of the dispensing, furnishing, or giving away, and shall be preserved for at least two years, and shall at all times be open to inspection by members of the State board of health, members of the State board of pharmacy or their authorized agents, by State officials or their authorized agents, or by the police authorities or officers of cities and towns. But no practitioner of medicine, surgery, or dentistry shall dispense or prescribe, except for his own professional use, more than four grains of morphine, cocaine, heroin, opium, or any other hypnotic or narcotic drug, their salts, compounds, or any preparation of the same, unless it be for a chronic, incurable, or malignant disease," so that said section as amended shall read as follows:

**SEC. 7 (as amended).** No practitioner of medicine, surgery, dentistry, or veterinary medicine shall dispense, furnish, or give away opium, morphine, heroin, codeine, cannabis indica, cannabis sativa, or any salt compound of said substances or any preparations containing any of the said substances or their salts or compounds, or cocaine or its salts, or alpha or beta eucaine or their salts or any synthetic substitute for them, or any preparation containing the same or any salt or compound thereof except in good faith as medicines for diseases indicated.

### Maryland.

#### SALE AND USE OF POISONS.

(Cumberland, Md., ordinance, Dec. 1, 1914.)

It shall be unlawful for any person, firm, or corporation to distribute, give away, or deposit as a means of free advertisement, from door to door, or upon the steps, porches, or approaches to any dwelling house or building, or upon the streets, alleys, lanes, or parks of the city, any packages, parcels, boxes, envelopes, or any other container containing any medicine, drug, or preparation purporting to be a remedy or medicine for the prevention or cure of disease of man or animal.

### Massachusetts.

#### SALE AND USE OF POISONS.

(Laws 1915, chap. 104.)

**SECTION 1.** Chapter 495 of the acts of the year 1910 (analyses of drugs and poisons by State department of health) is hereby amended by striking out section 2 and inserting in place thereof the following:

"**SEC. 2.** The analyst or an assistant analyst of the State department of health shall, upon request, furnish a signed certificate, under oath, of the result of the analysis provided for in section 1 to any police officer or any agent of an incorporated charitable organization, and the presentation of such certificate to the court by any police officer or agent of any such organization shall be prima facie evidence that all the requirements and provisions of section 1 have been duly complied with. This certificate shall be sworn to before a justice of the peace or notary public, and the jurat shall contain an allegation that the subscriber is the analyst or an assistant analyst of the State department of health, and when properly executed shall be prima facie evidence of the composition and quality of the drugs analyzed, and the court shall take judicial notice of the signature of the analyst or assistant analyst, and of the fact that he is such."

**SEC. 2.** This act shall take effect upon its passage.

(Pittsfield, Mass., Reg. Bd. II., Feb. 26, 1915.)

**RULE 9.** No person shall distribute, or cause to be distributed, from house to house on any street in this city, any package or bottles containing free samples of any medicinal substance, or substances for household use, except by permission of the board of health.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 187.)

**SECTION 1.** It shall be unlawful for any person, firm or corporation to sell, furnish, give away, or deliver coca leaves or any cocaine or any alpha or beta eucaine or any synthetic substitute for them, or any salts, compound, or derivative thereof, except decocainized coca leaves and preparations thereof, or any opium, morphine, heroin, codeine or any preparation thereof, or any salt, compound or derivative of the same, except upon the written order of a manufacturer or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, veteri-

narian, registered under the laws of the State in which he resides, or an incorporated hospital, college, or scientific institution through its superintendent or official in immediate charge, or upon the written prescription of a physician, dentist, or veterinarian, registered under the laws of the State in which he resides, bearing the date when signed, his office address, the registry number given him under public acts 223 of the Sixty-third Congress, approved December 17, 1914, the legal signature of the physician, dentist, or veterinarian giving it, the name and address of the patient for whom prescribed, which prescription when filled shall show the date of filling and shall be retained on file by the druggist filling it for a period of at least two years.

The prescription shall not again be filled, nor shall a copy of the same be made, except for the purpose of record by the druggist filling the same, and it shall at all times be open to inspection by the officers of the State department of health, the board of registration in pharmacy, the board of registration in medicine, and the authorized agents of said departments and boards, and by the police authorities and police officers of cities and towns: *Provided, however*, That the provisions of this act shall not apply to prescriptions nor to the sale, distribution, giving away, or dispensing or possession of preparations or remedies, if such prescriptions, preparations, and remedies do not contain more than 2 grains of opium or more than one-quarter of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt, compound, derivative of any of them in 1 fluid ounce, or, if a solid, or semisolid preparation, in the avoirdupois ounce, nor to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts, or alpha or beta eucaine or any of their salts or derivatives, or any synthetic substitute for them: *Provided*, That such preparations, remedies, or prescriptions are sold, distributed, given away, or dispensed or in possession in good faith as medicines and not for the purpose of evading the provisions of this act: *And provided further*, That the possession of any of the said drugs mentioned in this act, except prescriptions and preparations or remedies especially exempted in this section, by anyone not being a manufacturer or jobber of drugs, or wholesale druggist, registered pharmacist actively engaged in business as such, or a physician, dentist, or veterinarian, registered under the laws of the State in which he resides, or superintendent or official in charge of an incorporated hospital, college, or scientific institution, shall be presumptive evidence that such possession was a violation of this act. The provisions of this section shall not apply to persons having in their possession any of the above-mentioned articles by virtue of a legal prescription therefor, nor shall the provisions of this act apply to decocainized coca leaves or preparations made therefrom or to other preparations of coca leaves, which do not contain cocaine.

SEC. 2. It shall be unlawful for any practitioner of veterinary medicine or surgery to prescribe any of the drugs mentioned in section 1 of this act for the use of a human being, and it shall be unlawful for any physician or dentist to prescribe, sell, give away or deliver any coca leaves or any cocaine or any alpha or beta eucaine, or any compound, derivative, or synthetic substitute for them, or opium, morphine, heroin, codeine, or any preparation thereof, or any salt, compound, or derivative of said substances to any person known to such physician or dentist to be an habitual user of those drugs, except when the drug is obviously needed for therapeutic purposes.

SEC. 3. The provisions of this act shall not be construed to prevent any lawfully authorized practitioner of medicine, dentistry, or veterinary medicine from prescribing, administering, dispensing, or distributing any of the drugs mentioned in this act that may be indicated for any patient under his care: *Provided*, That such prescribing, administering, dispensing, or distributing is not for the purpose of evading the provisions of this act: *And provided further*, That every physician, dentist, or veterinarian shall, within 24 hours after such administering, dispensing, or distributing, make a record in a book kept by him solely for that purpose, of the date, the name, and address of the patient to whom administered, dispensed, or distributed, and the quantity and

kind of such drug administered or distributed: *And provided further*, That such record shall not be required where the physician, dentist, or veterinarian administers, dispenses, or distributes any of the drugs mentioned in this act to a patient on whom he personally attends. Each page of the book shall be ruled and kept in substantially the following form:

Date.	Name of physician or dentist (sign in full on each page).			
	Name of person to whom dispensed.	Address.	Drugs dispensed.	Amount dispensed.

*Provided, however*, That any form of record approved or required by the Commissioner of Internal Revenue under and by virtue of public acts 223 of the Sixty-third Congress, approved December 17, 1914, shall be deemed a sufficient record to comply with the requirements of this act. This record shall be at all times open to inspection by the State department of health, the board of registration in pharmacy, the board of registration in medicine, and the authorized agents of said department and boards, and by the police authorities and police officers of cities and towns.

SEC. 4. Any manufacturer or jobber of drugs, and any wholesale druggist, and any registered pharmacist actively engaged in business as such, any physician, dentist, or veterinarian registered under the laws of the State in which he resides, may sell coca leaves, cocaine, or any alpha or beta eucaine, or any synthetic substitute for them or any preparations containing the same, or any salts, compound, or derivative thereof, or any opium, morphine, codeine, heroin, or any preparation thereof, or any salt or compound or derivative of such substances, to any manufacturer or jobber in drugs, wholesale druggist, registered pharmacist, actively engaged in business as such, or physician, dentist, or veterinarian registered under the laws of the State in which he resides, or to any incorporated hospital, college, or scientific institution, but such substances or preparations, excepting such preparations as are included within the exceptions set forth in section 1, shall be sold only upon the written order of an incorporated hospital, college, or scientific institution, duly signed by its superintendent or official in immediate charge, or upon a written order duly signed by such manufacturer or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, or physician, dentist, or veterinarian registered under the laws of the State in which he resides, which order shall state the article or articles ordered, the quantity ordered, and the date. The said orders shall be kept on file in the laboratory, warehouse, pharmacy, or store in which they are filled by the proprietor thereof or his successors for a period of not less than two years after the date of delivery, and shall be at all times open to inspection by the State department of health, the board of registration in pharmacy, the board of registration in medicine, and the authorized agents of said department and boards, and by the police authorities and police officers of cities and towns.

SEC. 5. Any manufacturer or jobber in drugs and any wholesale druggist and any registered pharmacist actively engaged in business as such, physician, dentist, or veterinarian registered under the laws of the State in which he resides, and any incorporated hospital, college, or scientific institution, through its superintendent or official in immediate charge, that shall give an order for any of the aforesaid drugs in accordance herewith, shall preserve a duplicate thereof for a period of two years after the date of giving the same, which shall at all times be open to inspection by the State department of health, members of the board of registration in pharmacy, the board or registration in medicine, and the authorized agents of said department and boards, and by the



police authorities and police officers of cities and towns. The order now or hereafter required by the regulations of the Commissioner of Internal Revenue under and by virtue of public act No. 223 of the Sixty-third Congress, approved December 17, 1914, shall be deemed to be a sufficient order to comply with this and the preceding section.

SEC. 6. Any person who for the purpose of evading or assisting in the evasion of any provision of this act shall falsely represent that he is a physician, dentist, or veterinarian, or that he is a manufacturer or jobber in drugs or wholesale druggist or pharmacist actively engaged in business as such, or that he is superintendent or official in immediate charge of an incorporated hospital, college, or scientific institution, or a person registered under public act 223 of the Sixty-third Congress, approved December 17, 1914, or who, not being an authorized physician, dentist, or veterinarian, makes or alters a prescription for any of the substances above mentioned, shall be deemed guilty of a violation of this act.

SEC. 7. The possession of a Federal certificate issued under and by virtue of public act 223 of the Sixty-third Congress, approved December 17, 1914, by any person, shall be prima facie evidence of an intent to sell, furnish, give away, or deliver any of the drugs enumerated in this act.

SEC. 8. Nothing in this act shall apply to common carriers engaged in transporting the aforesaid drugs or to any employee, acting within the scope of his employment, of any person who shall lawfully be in possession for the purpose of delivery, of any of the drugs mentioned in this act, or to any person who shall deliver any such drug which has been prescribed or dispensed by a physician, dentist, or veterinarian registered under the laws of the State in which he resides who has been employed to prescribe for the particular patient receiving such drug, or to a nurse under the supervision of a physician, dentist, or veterinary having possession or control by virtue of his employment or occupation and not on his own account, or to the possession of any of the aforesaid drugs which have been prescribed in good faith by a physician, dentist, or veterinarian, or to any United States, State, county, municipal, district, territorial, or insular officer, or official who has possession of any of said drugs by reason of his official duties, or who, as an officer or duly appointed agent of any incorporated society for the suppression of vice, has the same in his possession for the purpose of assisting in the prosecutions of violations of this act.

SEC. 9. The provisions of this act, except those sections which require the ordering of the above-enumerated drugs on an official order blank and the keeping of the same on file, and the keeping of the record relative thereto, shall apply to cannabis indica and cannabis sativa, except that the same shall not apply to prescriptions, preparations, or remedies which do not contain more than one-half grain of extract of cannabis indica or more than one-half grain of extract of cannabis sativa in one fluid ounce, or if a solid or semisolid preparation in the avoirdupois ounce, nor to liniments, ointments, or other preparations containing cannabis indica and cannabis sativa, which are prepared for external use only.

SEC. 10. The repeal of any law by this act shall not affect any action, suit, or prosecution pending at the time of the repeal for an offense committed, or for the recovery of a penalty or forfeiture incurred, under any of the laws repealed.

SEC. 11. Whoever violates any provisions of this act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000 or by imprisonment in the house of correction or jail for a term not exceeding one year, or by both such fine and imprisonment.

SEC. 12. Chapters 694 and 788 of the acts of the year 1914, and sections 2 to 6, inclusive, of chapter 387 of the acts of the year 1910, are hereby repealed.

(Laws 1915, Chap. 159.)

**SECTION 1.** Section 1 of chapter 372 of the acts of the year 1911, as amended by section 1 of chapter 283 of the acts of the year 1912, is hereby amended by inserting after the word "substances," in the seventh line, the words, "or cocaine, alpha or beta eucaine or any synthetic substitute for them, or any preparation containing the same, or any salts or compounds thereof," by inserting after the word "return," in the twenty-seventh line, the word, "forthwith," and by striking out the words "as soon as may be," in the twenty-seventh and twenty-eighth lines, so as to read as follows:

**SECTION 1.** If a person makes complaint under oath to a police, district, or municipal court, or a trial justice of the peace authorized to issue warrants in criminal cases, that he has reason to believe that opium, morphine, heroin, codeine, cannabis indica, cannabis sativa, or any other hypnotic drug or any salt, compound or preparation of said substances, or cocaine, alpha or beta eucaine, or any synthetic substitute for them, or any preparation containing the same, or any salts or compounds thereof, is kept or deposited by a person named therein in a store, warehouse, building, vehicle, steamboat, vessel, or place other than by a manufacturer or jobber, wholesale druggist, registered pharmacist, registered physician, registered veterinarian, registered dentist, registered nurse, employees of incorporated hospitals, or a common carrier or porter when transporting any drug mentioned herein between parties hereinbefore mentioned, such court or justice, if it appears that there is probable cause to believe that said complaint is true, shall issue a search warrant to a sheriff, deputy sheriff, city marshal, chief of police, deputy marshal, police officer, or constable commanding him to search the premises in which it is alleged that such opium, morphine, heroin, codeine, cannabis indica, cannabis sativa or any other hypnotic drug or any salt or compound or preparation of said substances or any preparation containing the same is kept or deposited, and to seize and securely keep the same until final action, and to arrest the person or persons in whose possession it is found, together with all persons present if any of the aforesaid substances is found, and to return forthwith the warrant with his doings thereon, to a court or trial justice having jurisdiction in the place in which such substance is alleged to be kept or deposited.

**SEC. 2.** This act shall take effect upon its passage.

(Laws 1915, chap. 73.)

**SECTION 1.** Section 50 of chapter 504 of the acts of the year 1909, as amended by chapter 558 of the acts of the year 1914, is hereby amended by striking out the words "any male" in the fifth line, by striking out the words "except the Norfolk State Hospital," in the seventh line, and inserting after the word "any," in the same line, the words, "male or," so as to read as follows:

**SEC. 50.** Any of the judges named in section 29 and the justices of the municipal court of the city of Boston may commit to the Norfolk State Hospital, the McLean Hospital, or to a private licensed hospital, or house, or to any hospital or licensed receptacle for the insane, public or private, any male or female, who is subject to dipsomania or inebriety either in public or private, or who is so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control; but no such commitment shall be made until satisfactory evidence is presented to the judge by whom the proceedings for commitment are heard that such person is not of bad repute or of bad character apart from such habits of intemperance. The magistrate who receives the application for such commitment shall examine on oath the applicant and all other witnesses, shall reduce the application to writing and cause it to be subscribed and sworn to by the applicant. He shall cause a summons and copy of the application to be served upon such person in the manner provided by section 25 of chapter 217 of the revised laws. Such person shall be entitled to a hearing unless after receiving said summons he shall in writing waive a hearing; and in that case

the magistrate may issue an order for his immediate commitment to said hospital without such hearing if he is of the opinion that such person is a proper subject for its treatment and custody. The commitment may be made forthwith, if the examining physician certifies the case to be one of emergency. A person committed as aforesaid may be detained for two years from the date of his commitment and no longer.

SEC. 2. This act shall take effect from its passage.

(Laws 1915, chap. 136.)

An act relative to the service of warrants and processes for the apprehension and commitment of insane persons and others.

#### POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, chap. 239.)

SECTION 1. Section 67 of chapter 57 of the revised laws, as amended by section 2 of chapter 600 of the acts of the year 1911, is hereby further amended \* \* \* to read as follows:

SEC. 67 (as amended). Vinegar shall contain no added or artificial coloring matter, and shall contain not less than  $4\frac{1}{2}$  per cent, by weight, of absolute acetic acid. Cider vinegar shall, in addition, contain not less than  $1\frac{1}{8}$  per cent, by weight, of cider vinegar solids. If vinegar contains any added or artificial coloring matter, or less than the required amount of acidity, or if cider vinegar contains less than the required amount of acidity or of cider vinegar solids, it shall be deemed to be adulterated. The commissioner of health shall determine or cause to be determined, from time to time, analytical methods for the estimation of solids and of acetic acid in vinegar, and said methods shall be published in the monthly bulletin of the State department of health. No persons shall estimate the solids or the acetic acid content of vinegar for determining the composition or value of said vinegar as a basis for payment in buying or in selling, or for the purpose of inspection, by methods other than those published as herein described.

SEC. 2. This act shall take effect upon the 1st day of July, in the year 1915.

#### OCCUPATIONAL INTOXICATIONS.

(Pittsfield, Mass., Reg. Bd. H.)

RULE 1. Whatever is dangerous to human life or health; whatever building or part or cellar thereof is overcrowded or not provided with adequate means of ingress or egress, or is not sufficiently supported, ventilated, sewerred, drained, lighted, or cleaned; and whatever renders soil, air, water, ice, or food impure or unwholesome is declared to be a nuisance and to be illegal, and every person, firm, or corporation having aided in creating or contributing to the same, or that may support, continue, or retain any of them shall be guilty of a violation of this regulation and liable to the penalties provided by the revised laws of the Commonwealth for violation of such regulation as the board of health judges necessary to make for the preservation of the public health and safety, and shall also be liable for the expense of the abatement or remedy required.

#### SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 200.)

SECTION 1. Section 22 of chapter 100 of the revised laws, as amended by section 2 of chapter 410 of the acts of the year 1913, is hereby further amended by striking out the word "shall," in the fourth line, and inserting in place thereof the word "may," and by adding at the end of said section the words: "Such licensing board, mayor, and aldermen in cities and selectmen in towns may, in their discretion, refuse to grant any and all such licenses," so as to read as follows:

**Sec. 22.** No license for the sale of spirituous or intoxicating liquor, except of the sixth class, shall be granted to retail druggists or apothecaries. One or more licenses of the sixth class may be granted annually by the licensing board of cities, or by the mayor and aldermen of cities having no such board, or by the selectmen of towns, to retail druggists or apothecaries who are registered pharmacists actively engaged in business on their own account, upon presentation to the licensing board of the certificate prescribed by the following section, if it appears that the applicant is a proper person to receive such license and is not disqualified to receive it under the provisions of sections 53 and 54. A registered pharmacist who owns stock of the actual value of at least \$500 in a corporation which has been incorporated for the purpose of carrying on the drug business, and who conducts in person the business of a store of such corporation, shall be considered as actively engaged in business on his own account and as qualified to receive a license for such store. Such licensing board, mayor, and aldermen in cities and selectmen in towns may, in their discretion, refuse to grant any and all such licenses.

**Sec. 2.** This act shall take effect upon its passage.

(Laws 1915, chap. 130.)

**SECTION 1.** Section 50 of chapter 100 of the Revised Laws is hereby amended by inserting after the word "him," in the sixth and ninth lines, the words "or its or his agent or employee," and by inserting at the end thereof the words "Neglect to keep a book as hereinbefore provided or neglect by a railroad corporation, by a person or corporation regularly and lawfully conducting a general express business, or by an agent or employee of such person or corporation having said book in his or its possession or custody, to make the entry in said book of the date of reception, the correct transcript of the marks, and the date of delivery, as herein provided, or of any of them, or neglect on the part of any such person, corporation, agent, or employee to secure the signature of the person to whom such liquor is delivered at the time of delivery, shall be deemed to be a misdemeanor, and shall be punished by a fine of not less than \$50 nor more than \$500, and by imprisonment for not less than one month nor more than six months," so as to read as follows:

"**SEC. 50.** Every railroad corporation and every person or corporation regularly and lawfully conducting a general express business receiving spirituous or intoxicating liquor for delivery, or actually delivering intoxicating liquor to any person or place in a city or town described in the preceding section, shall keep a book and plainly enter therein the date of the reception by it or him, or its or his agent or employee, of each vessel or package of such liquor received for transportation, and a correct transcript of the marks provided for by said section, and the date of its delivery by it or him, or its or his agent or employee, and the name of the person to whom it was delivered shall be signed to the same as a receipt; and said book shall at all times be open to the inspection of the officers named in section 27. Such officers shall not make public the information obtained by such inspection except in connection with the enforcement of the law. Neglect to keep a book as hereinbefore provided or neglect by a railroad corporation, by a person or corporation regularly and lawfully conducting a general express business, or by an agent or employee of such person or corporation having said book in his or its possession or custody, to make the entry in said book of the date of reception, the correct transcript of the marks, and the date of delivery, as herein provided, or of any of them, or neglect on the part of any such person, corporation, agent, or employee to secure the signature of the person to whom such liquor is delivered at the time of delivery, shall be deemed to be a misdemeanor, and shall be punished by a fine or not less than \$50 nor more than \$500, and by imprisonment for not less than one month nor more than six months."

**Sec. 2.** This act shall take effect from its passage.

(Laws 1915, chap. 76.)

SECTION 1. Section 16 of chapter 19 of the Revised Laws, as amended by chapter 212 of the acts of the year 1912, is hereby further amended by striking out said section and inserting in place thereof the following:

"SEC. 16. No person habitually using intoxicating liquors to excess shall be appointed to or retained in any office, appointment, or employment to which the provisions of this chapter apply."

SEC. 2. This act shall take effect upon its passage.

(Laws 1915, chap. 174.)

SECTION 1. Chapter 395 of the acts of the year 1911 is hereby amended by striking out the word "seven" in the seventh line, and also in the thirty-first line, and inserting in place thereof, in each instance, the word "ten," so as to read as follows: "The superintendent or manager of any hospital for the insane, public or private, may, when requested by a physician, by a member of the board of health or a police officer of a city or town, by an agent of the institutions registration department of the city of Boston, or by a member of the district police, receive and care for in such hospital as a patient, for a period not exceeding 10 days, any person who needs immediate care and treatment because of mental derangement other than delirium tremens or drunkenness \* \* \*."

### Michigan.

#### SALE AND USE OF POISONS.

(Laws 1915, No. 269.)

An act to regulate the manufacture, sale, or other disposal of poisonous fly paper or poisonous fly killer, and to provide penalties for the violation thereof.

SECTION 1. It shall be unlawful for any person, firm, or corporation to manufacture, compound, sell, or offer for sale, or cause to be manufactured, compounded, sold, or offered for sale, any fly paper or other form of fly killer which contains arsenic or other poison in sufficient quantity to be dangerous to the life or health of persons, unless same, when so manufactured, compounded, sold, or offered for sale, shall be so prepared, constructed, or guarded that when in use said poisonous paper, substance, compound, or solution shall be inaccessible to children or other persons who might eat, drink, or swallow the same, or any portion thereof.

SEC. 2. Any person, firm, or agent of a corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof for the first offense shall be fined not more than \$100 or imprisoned in the county jail for a period not to exceed two months, or both, and for each succeeding offense shall be fined not less than \$50 nor more than \$300, or imprisoned in the county jail for a period not less than two months nor more than nine months, or by both such fine and imprisonment.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, No. 117.)

SECTION 1. It shall be unlawful for any person to sell or offer for sale, give away or offer to give away, dispense or distribute or have in his possession for sale, giving away, dispensing, or distribution any opium or coca leaves, or any compound, manufacture, preparation, or derivative, their salts, or any preparation of them, derivative or preparations thereof except as hereinafter provided.

SEC. 2. Nothing in this act shall apply to preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them in 1 fluid ounce, or, if a solid or semisolid preparation,

in 1 avoirdupois ounce, or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts, whether produced naturally or synthetically: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines, and not for the purpose of evading the intention and provisions of this act. The provisions of this act shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves, which do not contain cocaine.

SEC. 3. Any person holding an unexpired certificate as a registered pharmacist or registered druggist under the laws of this State may dispense any drug or drugs mentioned in section 1 of this act upon a written prescription or order of a physician, veterinarian, or dentist duly qualified to practice under the laws of this State, which prescription shall be retained in the pharmacy or store in which the same was dispensed, by the proprietor thereof or his successor for a period of two years. Said prescription shall be filled but once and no copy of it shall be taken by or furnished to any person, except the same be required for the enforcement of this act.

SEC. 4. Any manufacturer or jobber of any or all of the drugs mentioned in section 1 of this act, and wholesale druggist, any pharmacist or druggist who may lawfully practice pharmacy and dispense drugs under the laws of the State may sell any item mentioned in section 1 of this act to any such manufacturer, jobber, wholesale druggist, pharmacist, druggist or to any lawfully practicing physician, veterinarian, or dentist, but only upon a written order duly signed by such manufacturer, jobber, wholesale druggist, pharmacist, druggist, physician, veterinarian, or dentist, which order shall show the item or items ordered and the date of delivery; and which order shall be kept on file in the laboratory, warehouse, pharmacy, or store from which it was filled by the proprietor thereof or his successor for a period of not less than two years from the date of delivery.

SEC. 5. The prescriptions and orders required to be kept on file by this act shall be at all times open to the inspection of the prosecuting attorney and sheriff of the county, their deputies or assistants, or any constable, police officer, member of the State board of pharmacy, member of the State board of health, food and drugs commissioner or inspector and inspector of pharmacies, each of whom shall be permitted to make such notes therefrom and such copies thereof as he may deem wise.

SEC. 6. Nothing in this act contained shall be construed to forbid or regulate the dispensing or distribution of any of the drugs mentioned in section 1 of this act by or under the instructions of a lawfully practicing physician, dentist, or veterinarian in the course of his professional practice, and not for the purpose of evading the provisions of this act.

SEC. 7. Any person who shall make any false pretense for the purpose of purchasing or obtaining any of the drugs mentioned in section 1 of this act when it would be unlawful to sell, give away, or dispense the same to him, shall be liable to the penalties of this act, whether he succeed in purchasing or obtaining same or not.

SEC. 8. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than \$500 or imprisonment for not more than one year, or by both such fine and imprisonment in the discretion of the court.

SEC. 9. Act No. 30 of the public acts of 1909 and all acts amendatory thereof are hereby repealed.

(Laws 1915, No. 80.)

SECTION 1. Section 2 of act No. 94 of the public acts of 1913, entitled "An act to provide for the appointment of guardians of the persons of habitual drunkards, and of persons so addicted to the excessive use of intoxicating liquors or narcotic or noxious drugs as to need medical or sanitary treatment or care, and for restraining them in a suitable asylum or hospital," is hereby amended to read as follows:

SEC. 2 (as amended). Such guardian shall only be appointed upon the petition of the husband or wife or of some relative by blood of the person for whom a guardian is asked, or by the supervisor of the township or alderman of the ward, or one of the superintendents of the poor of said county in which said person resides. Upon the filing of such petition, the judge of probate shall fix a time for the hearing thereof and shall cause notice thereof to be given to the respondent and next of kin, and such other persons as the judge of probate shall direct, at least two days before the time of such hearing.

SEC. 3. This act is hereby declared to be immediately necessary for the preservation of the public peace, health, and safety.

(Laws 1915, No. 97.)

SEC. 14 (as amended). No person who is a resident of this State shall be held as a public or private patient in any asylum, public or private, or in any institution, home, or retreat for the care or treatment of the insane, except upon certificates of insanity and an order for admission as hereinafter provided, except voluntary patients admitted under act No. 81 of the public acts of 1913: *Provided*, That such persons as may have been or may hereafter be adjudged to be so addicted to the excessive use of intoxicating liquors, or narcotics, or noxious drugs, as to be in need of medical and sanitary treatment and care, for whose person a guardian has or may be appointed with power to restrain his said ward in some suitable State hospital or asylum for treatment, may, upon petition of the guardian and by order of the probate court, be taken to or restrained in any suitable institution, asylum, or hospital for medical or sanitary treatment and care, or hospital for the insane: *Provided further*, That whenever it shall appear to a judge of any court of record, justice of the peace, or a police justice of any city or county where such person may be, upon evidence, produced and from a certificate of two legally qualified physicians, to be necessary and essential to public safety so to do, said judge or police justice may authorize any superintendent of the poor or peace officer of said city or county to take into custody and cause to be removed to any hospital or other place of detention any person believed to be insane against whom no proceedings have been instituted under this act, and such person may be detained until such proceedings as hereinafter provided shall be instituted in the probate court: *Provided further*, That the period of such temporary detention shall not exceed five days, unless the probate court shall by special order enlarge the time: *Provided further*, That no person arrested under this act shall be confined in a jail or other lockup unless such person manifests homicidal or other dangerous tendencies.

SEC. 16 (as amended). The father, mother, husband, wife, brother, sister, or child of a person alleged to be insane, or the sheriff or any superintendent of the poor, or supervisor of any township, or any peace officer within the county in which the alleged insane person resides, or may be, may petition the probate court of said county for an order directing the admission of said person to an asylum or institution for the care of the insane, such petition to contain a statement of the facts upon which the allegation of insanity is based and because of which the application for the order is made.

DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, No. 152.)

An act to amend sections 2, 3, and 4 of act No. 146 of the public acts of 1909, entitled "An act to prohibit and prevent adulteration, misbranding, fraud, and deception in the manufacture and sale of drugs and drug products in the State of Michigan, and to provide for the enforcement thereof."

SEC. 2 (as amended). The term "drug" as used in this act shall include all medicines and preparations recognized in the United States Pharmacopœia or National

**Formulary for internal or external use, and any substance or mixture of substances or device intended to be used for the cure, mitigation, or prevention of disease of either man or other animals.**

**SEC. 4 (as amended).** An article shall be deemed to be misbranded within the meaning of this act—

First. If it is an imitation of or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package; or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, antipyrin, opium, morphine, codeine, heroin, cocaine, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative or preparation of any such substances, contained therein: *Provided*, That nothing herein shall be construed to apply to the dispensing of prescriptions written by regularly licensed practicing physicians, veterinary surgeons, and dentists, and kept on file by the dispensing pharmacist, nor to such drugs as are recognized in the United States Pharmacopœia and National Formulary, and which are sold under the name by which they are so recognized.

Third. If the package containing it or its label shall bear any statement, design, or device regarding the ingredients, or the substances contained therein, which statement, design, or device shall be false or misleading in any particular, and to any drug or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

Fourth. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such articles or any of the ingredients or substances contained therein which is false and fraudulent.

#### POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, No. 226.)

An act to amend section 14 of act No. 193 of the public acts of 1895, entitled "An act to prohibit and prevent adulteration, fraud, and deception in the manufacture and sale of articles of food and drink," the same being section 5023 of the compiled laws of 1897.

**SECTION 1.** Section 14 of act No. 193 of the public acts of 1895, entitled "An act to prohibit and prevent adulteration, fraud, and deception in the manufacture and sale of articles of food and drink," the same being section 5023 of the compiled laws of 1897, is hereby amended to read as follows:

**SEC. 14 (as amended).** No packer or dealer in preserved or canned fruits and vegetables, or other articles of food, shall sell or offer for sale such canned articles, unless such articles shall be entirely free from substances or ingredients deleterious to health, and unless such articles bear a mark, stamp, brand, or label bearing the name and address of the firm, person, or corporation that packs or distributes the same. All "soaked or bleached goods" or goods put up from products dried before canning shall be plainly marked, branded, or labeled as such, with the words "soaked or bleached goods," in letters not less than two-line pica in size, showing the name of the article and the name and address of the packer or distributor.

(Laws 1915, No. 311.)

**SEC. 3 (a) of act No. 193, 1895 (as amended).** An article shall be deemed to be misbranded within the meaning of this act—

First. If it is an imitation of or is offered for sale under the name of another article.

Second. If it is labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package.



Third. If in package form every package, box, bottle, basket, or other container does not bear the true net weight, excluding the wrapper or container, which shall be stated in terms of pounds, ounces, and grains avoirdupois weight or the true net measure, which measure, in case of liquids, shall be in terms of gallons of 231 cubic inches or fractions thereof, as quarts, pints, and ounces or the true numerical count, as the case may be, expressed on the face of the principal label in plain English words or numerals, so that it can be plainly read: *Provided, however, That* reasonable variations shall be permitted and tolerances therefor and also exemptions as to small packages shall be established and promulgated by the dairy and food commissioner: *Provided, however, That* no penalty of fine, imprisonment, or confiscation shall be enforced for any violation of subdivision third of this section prior to September 1, 1914, as to goods in the hands of wholesalers or retailers when this act takes effect or received prior to January 1, 1914. The provisions of this subdivision shall not apply to beverages in glass containers.

Fourth. If the package containing it or its label shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular: *Provided, That* the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale bear the name and address of the manufacturer or jobber or retail merchant with an established business, and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound and is not in violation of any of the foregoing provisions of this act. Every article of food as defined in the statutes of this State shall be sold by weight, measure, or numerical count, and as now generally recognized by trade custom, except where the parties otherwise agree, and shall be labeled in accordance with the provisions of the food and beverage laws of this State. Only those products shall be sold by numerical count which can not well be sold by weight or measure. All foods not liquids, if sold by measure, shall be sold by standard dry measure, the quart of which contains sixty-seven twenty one-hundredths cubic inches, providing that the provisions of this section shall not apply to fresh fruit and vegetables.

#### SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, No. 224.)

SECTION 1. Section 3 of act No. 381 of the public acts of 1913, entitled "An act to regulate the sale, consignment, shipment, transportation, and delivery to and the purchase, acceptance, receipt, and possession by any person, firm, or corporation of any vinous, malt, brewed, fermented, spirituous, or intoxicating liquor when such person, firm, or corporation resides in territory where the manufacture and sale of such liquors for beverage purposes is prohibited; to prohibit the same in certain cases; to prescribe means for the enforcement of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act," is hereby amended to read as follows:

Sec. 3 (as amended). All railroads, express, and transportation companies within this State, or doing business within the State, are hereby required to keep at each local office a separate book in which shall be entered immediately upon receipt thereof in territory within which the manufacture and sale of intoxicating liquors for beverage purposes are prohibited by any law, whether local or State wide in its operation, truthful statements of the amount and kind of liquor received, the name and address of the consignor, the name and address of the consignee, the purpose for which said liquor is intended to be used, as stated upon the outside of the package containing such liquor; the date when received, the date when delivered, and by whom and to whom

delivered; after which record shall be a blank space in which the consignee by himself or herself or his or her agent shall be required to sign his or her true name before such liquors are delivered to such consignee, which book shall be open to public inspection at any time during the business hours of said company. Such book shall constitute prima facie evidence as to the facts therein stated, and be admissible as evidence in any court in this State: *Provided*, That before any such liquors mentioned in section 1 of this act shall be delivered to any person it shall be necessary for the consignee to make and file with the railroad, express, or transportation company at the office of such company in the city, village, or township to which such liquor shall be consigned, an affidavit legally sworn to stating therein that he or she is of full legal age and legally entitled under the provision of this act to have such liquors delivered to him or her \* \* \*: *Provided, however*, That it shall not be necessary for any such consignee to make and file any new or further affidavit as herein provided when there is on file with the railroad, express, or transportation company such affidavit as herein provided: *Provided further*, That the statements contained in such affidavits may be accepted as true by said railroad, express, or transportation company for what they show on their face, but shall not otherwise operate to relieve any person or corporation from liability for illegal delivery. Any express, railroad, or other transportation company, or any employee or agent thereof who fails, neglects, or refuses to comply with the provisions of this section, or who makes or causes to be made any false entry in said book, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500, or imprisoned in the county jail for not more than six months, or both such fine and imprisonment in the discretion of the court.

(Laws 1915, No. 314, ch. 66.)

SEC. 9. No justice of the peace shall hold any court in any barroom or any other place where any intoxicating liquors shall be sold.

#### STANDARDS FOR DRUGS.

(Laws 1915, No. 152.)

An act to amend sections 2, 3, and 4 of act No. 146 of the public acts of 1909, entitled "An act to prohibit and prevent adulteration, misbranding, fraud, and deception in the manufacture and sale of drugs and drug products in the State of Michigan and to provide for the enforcement thereof."

SEC. 2 (as amended). The term "drug" as used in this act shall include all medicines and preparations recognized in the United States Pharmacopœia or National Formulary for internal or external use, and any substance or mixture of substances or device intended to be used for the cure, mitigation, or prevention of disease of either man or other animals \* \* \*.

SEC. 4 (as amended). \* \* \* That nothing herein shall be construed to apply to the dispensing of prescriptions written by regularly licensed practicing physicians; veterinary surgeons, and dentists, and kept on file by the dispensing pharmacist, nor to such drugs as are recognized in the United States Pharmacopœia and National Formulary, and which are sold under the name by which they are so recognized. \* \* \*.

#### Minnesota.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, ch. 260.)

SECTION 1. On and after the 31st day of December, 1915, it shall be unlawful for any person to possess or sell or otherwise dispose of any opium or preparation or manufacture thereof; any morphine or salt or ester or other derivative thereof; any coca leaves except decolorized coca leaves; any preparation or manufacture of coca leaves

except decocainized preparations or manufactures; any cocaine or salt or ester or other derivative thereof; any alpha or beta eucaine or salt or ester thereof; or any chloral or other salt or ester thereof; or any synthetic substitute for any of the aforesaid substances: *Provided*, That nothing contained in this section shall apply:

(a) To the possession of any of the aforementioned substances by legally licensed physicians or surgeons in connection with the practice of medicine or surgery, by legally licensed dentists in connection with the practice of dental medicine or surgery, by legally licensed veterinarians in connection with the practice of veterinary medicine or surgery, by legally licensed pharmacists or druggists in connection with the practice of pharmacy, by hospitals or similar institutions when intended exclusively for the treatment of patients in said institutions, by manufacturers of any of the aforementioned substances by wholesale dealers in any of the aforementioned substances or by colleges, scientific, or public institutions when intended exclusively for educational, scientific, or public purposes.

(b) To the possession by common carriers of original packages of any of the aforesaid substances consigned to any of the persons enumerated in paragraph (a) of this section.

(c) To the possession by duly authorized officers of the law of any of the aforementioned substances seized in the performance of their official duties.

(d) To the possession by any person of any of the aforementioned substances which have been dispensed by a legally licensed physician, surgeon, dentist, veterinarian, pharmacist, or druggist in compliance with this act, and are possessed in the form in which they are dispensed and in a container which is labeled in conformity with this act.

(e) To the possession by consumers, by common carriers, or by retail dealers licensed by the board of pharmacy of bona fide medicinal preparations intended for internal use which do not contain in 1 fluid ounce, or if a solid or semisolid preparation, in 1 avoirdupois ounce separately more than 2 grains of opium or the extractive of 2 grains thereof, or more than one-fourth grain of morphine or any salt thereof, or more than one-eighth grain of heroin or any salt thereof, or more than 1 grain of codeine or any salt thereof, or 120 grains of chloral or any salt or ester thereof, or of any bona fide medicinal preparation suitable for external use only which does not contain cocaine or any salt or derivative thereof or any synthetic substitute therefor, or alpha or beta eucaine or any salt or derivative thereof, or any synthetic substitute therefor, or heroin or any salt or derivative thereof.

(f) To the sale or other disposal of the aforementioned substances by manufacturers, wholesale dealers, legally licensed pharmacists or druggists to manufacturers, wholesale dealers, hospitals, or similar institutions, colleges, scientific or public institutions, or legally licensed physicians, dentists, veterinarians, pharmacists, or druggists: *Provided*, That a record of such sale or disposal, showing the date of the transaction, the names and addresses of the parties thereto, and the name and quantity of the substance transferred to be made and be kept on file by both parties to the transaction for two years, open to inspection by duly authorized officers of the law: *Provided*, That the making and preserving of any order and duplicate or of any record required by any other law of this State or of the United States, which order, duplicate, or record shall set forth the facts above required to be stated, shall be deemed a satisfactory compliance with the provisions of this paragraph. Whenever required to do so by the authorities charged with the duty of enforcing this act any person selling or distributing the aforementioned substances shall render to such authorities requesting it a true and correct statement verified by affidavit setting out the quantity of such drugs received by him during a period immediately preceding the arrest, not exceeding three months, as the authorities may demand, the names of the persons from whom the said drugs were received, the quantity in each instance received from each of such persons, and the date when received.

(g) To the sale or other disposal to a consumer of any of the aforementioned substances by a legally licensed pharmacist or druggist pursuant to the written prescription of a legally licensed physician, surgeon, or dentist: *Provided*, That said prescription is dated as of the day on which it was signed by the prescriber, bears the signature and address of the prescriber and the name of the person for whose use the said substances is intended: *And provided*, That the said prescription is serially numbered and dated and filed in its appropriate place in the prescription file of the compounder and be retained on file for two years, open to inspection by any duly authorized officer of the law: *And provided further*, That, with the exception of any prescription for a preparation which, if for internal use, does not contain in 1 fluid ounce, if a solid or semi-solid preparation, in 1 avoirdupois ounce separately more than 2 grains of opium or the extractive of 2 grains thereof, or more than one-fourth grain of morphine of any salt thereof, or more than one-eighth grain of heroin or any salt thereof, or more than 1 grain of codeine or any salt thereof, or 120 grains of chloral or any salt or ester thereof, or, if for external use, does not contain cocaine, or any salt or derivative thereof, or any synthetic substitute therefor, or alpha or beta eucaine or any salt or derivative thereof or any synthetic substitute therefor, or heroin or any salt or derivative thereof, such prescription shall be filled but once, and no copy of such prescription shall be given to any person except a duly authorized officer of the law for use in connection with the enforcement of this act or of laws of the United States: *And provided further*, That the medicine dispensed upon such prescription shall be delivered in a container which is labeled with the serial number of the prescription, the date upon which it is filled, the name of the person for whose use the medicine is intended, the name of the prescriber, and the name and address of the dispenser.

(h) To the sale or other disposal of any of the aforementioned substances by a legally licensed pharmacist to a person authorized in writing by the prescriber to receive such substances on the written prescription of a legally licensed veterinarian: *Provided*, That such prescription is dated as of the day on which it was signed by the prescriber, bears the signature and address of the prescriber, the name of the person authorized to receive the medicine, and the kind of animal for whose use the said substance is intended: *And provided*, That such prescription be identified, filed, and preserved in the manner provided in the preceding paragraph: *And provided further*, That with the exception of any prescription for a preparation for external use, which does not contain any cocaine or any salt or derivative thereof or any synthetic substitute therefor, or any heroin or salt or derivative thereof, such prescription shall be filled but once, and no copy of such prescription shall be given to any person except to a duly authorized officer of the law for use in connection with the enforcement of this act or the laws of the United States: *And provided further*, That the medicine dispensed upon such prescription shall be delivered in a container, which is labeled with the serial number of the prescription, the date upon which it is filled, the name of the person authorized by the prescriber to receive the medicine, the kind of animal for whose use the medicine is intended, the name of the prescriber, and the name and address of the dispenser.

(i) To the administration, sale, or other disposal of any of the aforementioned substances by a legally licensed physician or dentist for or to a patient upon whom he is in professional attendance: *Provided*, That said physician or dentist shall keep a record of the name and address of the patient, the date of the sale or other disposal, and the amount of the drug transferred: *Provided*, That the making and preserving of any record required by any other law of this State or of the United States, which record shall set forth the facts above required to be stated, shall be deemed satisfactory compliance with the provisions of this paragraph: *And provided further*, That any of the aforementioned substances dispensed for the use of a patient by a legally licensed physician or dentist shall be delivered in a container labeled with the name of the patient, the date of the delivery, and the name and address of the dispenser,

(j) To the administration of any of the aforementioned substances to a lower animal and not to a human being by a legally licensed veterinarian, or to the prescribing, sale, or other disposal of the aforementioned substances for administration to a lower animal and not to a human being, by a legally licensed veterinarian: *Provided*, That said veterinarian when selling or delivering any of the aforementioned substances shall keep a record of the name and address of the person to whom he delivers any of the aforementioned substances, the kind of animal for whose use the aforementioned substances are delivered, the date of delivery, and the amount of the drug transferred in such instances as he may deliver any of the aforementioned substances more than two full adult medicinal doses for the kind of animal specified: *And provided further*, That any of the aforementioned substances delivered by a legally licensed veterinarian shall be delivered in a container labeled with the name of the person to whom the delivery is made, the kind of animal for whose use the medicine is intended, the date of the delivery, and the name and address of the dispenser.

(k) To the sale by manufacturers, wholesale dealers, legally licensed pharmacists, druggists, physicians, surgeons, dentists, or veterinarians, or by retail dealers licensed by the board of pharmacy to sell bona fide medicinal preparations intended for internal use, which do not contain in 1 fluid ounce, or if a solid or semisolid preparation, in 1 avoirdupois ounce, separately more than 2 grains of opium or the extractive of 2 grains thereof, or more than one-fourth grain of morphine or any salt thereof, or more than one-eighth grain of heroin or any salt thereof, or more than 1 grain of codeine or any salt thereof, or 120 grains of chloral or salt or ester thereof, or of any bona fide medicinal preparation suitable for external use only, which does not contain cocaine or any salt or derivative thereof of any synthetic substitute therefor, or alpha or beta eucaine, or any salt or derivative thereof or any synthetic substitute therefor, or heroin or any salt or derivative thereof.

SEC. 2. It shall be unlawful for any physician or dentist to furnish or prescribe for the use of any habitual user of the same of any of the substances enumerated in section 1 of this act: *Provided*, That the provisions of this section shall not be construed to prevent any legally licensed practitioner from prescribing in good faith for the use of any patient under his care for the treatment of a drug habit such substances as he may deem necessary for such treatment: *Provided*, That such prescriptions are given in good faith for the treatment of such habit.

SEC. 3. Any person who violates the foregoing provisions of this act shall be deemed guilty of a felony and for each violation thereof shall be punished on conviction thereof by imprisonment in the penitentiary for not less than one year or more than five years, or by a fine of not less than \$100 or more than \$1,000, or both imprisonment and fine in the discretion of the court: *Provided, however*, That a legally licensed pharmacist or druggist shall not be held liable for the innocent compounding and dispensing of any of the articles enumerated in section 1 of this act in consequence of a false, fraudulent, or forged prescription which he in good faith believed to be a prescription of a licensed physician, licensed dentist, or licensed veterinarian issued for a lawful purpose.

SEC. 4. Whenever any legally licensed physician, surgeon, dentist, veterinarian, pharmacist, druggist, manufacturer, wholesale or retail dealer, or institution shall have been twice convicted in a court of proper jurisdiction of any felony under this act the officer or board having power to issue licenses to any such licensed person may, after giving such licensee reasonable notice and opportunity to be heard, revoke the license of said licensee.

SEC. 5. The word "person" as used in this act shall be construed as to mean and include a partnership, association, company, or corporation, as well as a natural person.

SEC. 6. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 7. This act shall take effect and be in force from and after December 31, 1915.

## DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, chap. 251.)

**SECTION 1.** Ingredients of fertilizer to be stated on label. That any persons, firm, or corporation who shall offer, sell, or expose for sale, in the State of Minnesota, any commercial fertilizer the price of which exceeds \$5 per ton, shall affix to every package in a conspicuous place on the outside thereof, or furnish to the purchasers of goods sold in bulk, a plainly printed certificate, naming the materials, including the filler, if any, of which the fertilizer is made, stating the number of pounds in the package sold, the name or trade-mark under which the article is sold, the name of the manufacturer and the place of manufacture, and a chemical analysis stating the minimum percentage of nitrogen in available form, of potassium soluble in water, of phosphorus in available form (soluble or reverted), and of insoluble phosphorus.

## SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 23.)

An act granting to each county the option to determine by the votes of its electors whether the sales of intoxicating liquors shall be prohibited therein; and to provide for elections therefor and the conduct thereof; and if so prohibited, providing for the annulment of licenses and the suspension within said county while such prohibition remains in force of all other statutes and of all municipal charters and ordinances, so far as the same shall grant local option to towns or municipalities therein, or relate to the granting of licenses for the sale of such liquors, the sales thereof by licensees or the conduct of licensed public drinking places, and forbidding the sale or disposition of, or the storage or keeping for sale of such liquors, or the taking, receiving or soliciting orders for the same within said county; and providing penalties for the violations of the provisions of this act.

**SECTION 1.** That section 3114 of the General Statutes of Minnesota for the year 1913 be and the same is hereby amended so as to read as follows:

**SEC. 3114 (as amended).** No license to sell intoxicating liquor within this State shall be issued or granted, except in incorporated cities, villages, and boroughs. Such licenses may be granted by the council of any such city, village, or borough. Every such license shall be for one year from its date, unless sooner annulled, shall specify the room in which sales are allowed, and shall state that the person named is authorized to sell such liquor only in such place and at the time, in the manner and to the persons allowed by law.

## PRACTICE OF PHARMACY.

(Laws 1915, chap. 345.)

An act to amend section 5046, General Statutes 1913, relating to the sale of drugs, medicines, or poisons.

**SECTION 1.** That section 5046, General Statutes 1913, be amended to read as follows:

**SEC. 5046 (as amended).** No person not a registered pharmacist, or a dealer employing and keeping such a pharmacist in active charge of his place of business, shall retail, compound, or dispense drugs, medicines, or poisons, or keep or conduct a place for retailing, compounding or dispensing drugs, medicines or poisons, or falsely assume or pretend to the title of a registered pharmacist. No registered pharmacist or other person shall permit the compounding or dispensing of prescriptions or the vending of drugs, medicines or poisons in his place of business, except under the supervision of a registered pharmacist or assistant. Every person violating any provision of this section shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$50 except in cases where the death of a human being results from such violation, when the person offending shall be guilty of a felony.

**SEC. 2.** This act shall take effect and be in force from and after its passage.

(Laws 1915, chap. 62.)

SECTION 1. That section 5046, General Statutes 1913, be amended to read as follows: 5046 (as amended). *Punishment for sale by other than druggist.*—No person not a registered pharmacist or a dealer employing and keeping such a pharmacist in active charge of his place of business shall retail, compound, or dispense drugs, medicines, or poisons, or keep or conduct a place for retailing, compounding, or dispensing drugs, medicines or poisons, or falsely assume or pretend to the title of a registered pharmacist. No registered pharmacist or other person shall permit the compounding or dispensing of prescriptions or the vending of drugs, medicines, or poisons in his place of business, except under the supervision of a registered pharmacist or assistant. Every person violating any provision of this section shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$50, except in cases where the death of a human being results from such violation, when the person offending is guilty of a felony.

### Missouri.

#### SALE AND USE OF POISONS.

(Kansas City, Mo., Res. Bd. H. and H., Nov. 17, 1914.)

*Resolved, by the hospital and health board, on account of the present epidemic of diphtheria,* That all retail druggists of Kansas City be required to report within 24 hours to the health department, at their office in the Water Works Building, Sixth and Walnut Streets, the sale of all antitoxin, with the name of the purchaser, residence, number of units purchased, and the attending physician's name and address. This requirement has for its purpose early information of a case of diphtheria, so that the department may take prompt measures in isolating and quarantining the same.

The retail druggists of this city are respectfully urged to give this matter their earliest attention and comply with the above requirement.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, H. B. 202, p. 279.)

SECTION 1. *Cocaine, opium, and certain other drugs not to be sold or given away except upon prescription—Not to apply to wholesale dealers.*—Amend section 5786, chapter 42, Revised Statutes of Missouri, 1909, by inserting the words "or opium, morphine, codeine, or heroin" between the word "thereof" in the fourth line and the word "excepting" in the fifth line of said section, and by inserting the words "or opium, morphine, codeine, or heroin" between the words "containing cocaine" and the word "a" in the eleventh line of said section, and by inserting the words "opium, morphine, codeine, and heroin" between the words "cocaine" and "contained" in the twelfth line: *Provided,* That the provisions of this section shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than 2 grains of opium or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them in 1 fluid ounce, or, if a solid or semisolid preparation, in 1 avoirdupois ounce, or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts: *Provided,* That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act, so that said section when so amended shall read as follows:

Sec. 5786. It shall not be lawful for any druggist or other persons to retail or sell or give away any cocaine, hydrochlorate or other salts of or any compound of cocaine, or preparation containing cocaine, or any salt of or any compound thereof, or opium, morphine, codeine, or heroin, excepting upon the written prescription of a licensed

physician or licensed dentist, or licensed veterinary surgeon, licensed under the laws of the State, which prescription shall only be filled once: *Provided*, That the provisions of this section shall not apply to sales in the usual quantities at wholesale by any manufacturer or wholesale dealer when such manufacturer or wholesale dealer shall have affixed to the box, bottle, or package containing such cocaine, hydrochlorate or other salt or compound of cocaine or preparation containing cocaine, or opium, morphine, codeine, or heroin, a label specifically setting forth the proportion of cocaine, opium, morphine, and heroin contained in any preparation: *Provided*, That the provisions of this section shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession of preparations and remedies, which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salts or derivatives of any of them in 1 fluid ounce, or if a solid or semisolid preparation, in 1 avoirdupois ounce, or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act.

#### OCCUPATIONAL INTOXICATIONS.

(Laws 1915, II. B. 807, p. 320.)

An act to provide for the maintenance of water lines for sprinkling purposes in all lead and zinc mines generating dust, prescribing certain duties of owners and employes in operating such mines, and providing a punishment for violations of the provisions thereof.

SECTION 1. *Amending article 2, chapter 81, R. S. 1909, by adding two new sections.*—That article 2, chapter 81, of the Revised Statutes of Missouri for the year 1909, be amended by adding two new sections to be known as "section 4869a" (8469a) and "section 4869b" (8469b), providing for the maintenance of water lines for sprinkling purposes in all lead and zinc mines generating dust, prescribing certain duties of owners and employees in operating such mines, and providing a punishment for violation of the provisions thereof, which sections shall read as follows:

SEC. 8469a. *Water lines to be maintained for sprinkling in certain mines generating dust—Duties of inspectors, etc.*—The State mine inspectors for lead mines, zinc mines, and other mines, other than coal, are hereby authorized, empowered, and directed to thoroughly inspect all underground excavations in all such mines, as often as the inspector or either of his deputies may deem proper, for the purpose of ascertaining or discovering in the air in any such mine or mines the presence of dust in such quantities as shall be injurious to the health of employees engaged in working in such underground excavation; and upon finding dust in the air of any such mine in such quantities as shall tend to injure the health of the employees of such mine, such inspector or deputy inspector shall immediately notify the owner, managing agent, or operators of such mine, in writing, specifying the underground excavation so found to contain dust particles as aforesaid in the air thereof, and such owner, agent, or operator of such mine shall, within 15 days after receiving such written notice, provide, install, equip, and thereafter at all times maintain in such mine an independent water line, fully equipped and in good serviceable working order and repair, leading up to the face of any and all drifts where such dust is produced, or so close to the face of said drifts so that by the use of a suitable hose extension or sprinkling attachments to be supplied by the owner or owners of said mine, the mineral or earth in and adjoining the face of the drift or drifts of such mine can be sprinkled or wet by water from said pipe line; thereupon and thereafter every person drilling, squibbling, or blasting in said mine shall keep the face, surface, and drill holes in said drift or drifts wet or moist by the



use of water from said water line to such an extent and in such a way as shall prevent, as far as possible, any dust raising from the working of any such face or from the drilling, "blowing" or "shooting" of any hole or holes, and the ground boss in charge of the underground in any such mine, so equipped with a water line, shall require all ground or dirt after being shot or blasted to be thoroughly wet or sprinkled to such an extent as shall prevent, as far as possible, any dust from arising therefrom while the employees are at work therein.

Sec. 8469b. *Penalty*.—Every owner or part owner of any such mine and every employee of the owner of any such mine, who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5 nor more than \$50.

(Laws 1915, H. B. 805, p. 330.)

An act to provide dressing rooms for employees of all owners and operators of lead and zinc mines.

SECTION 1. *Amending article 2, chapter 81, R. S., 1909, by adding a new section thereto*.—That article 2, chapter 81 (81), of the Revised Statutes of Missouri for the year 1909, be, and the same is hereby, amended by adding a new section thereto, to be known as section 8469b, providing dressing rooms for employees of all owners and operators of lead and zinc mines, which section shall read as follows:

Sec. 8469b. *Dressing rooms to be provided—Equipment—Inspection—Penalty*.—It shall be the duty of every owner or operator of any zinc or lead mine in the State of Missouri to provide and maintain a room or building of sufficient size and dimensions and properly equipped for the use of employees of said mines as a dressing room and for the purpose of changing, keeping, and storing their clothes and dinner pails. Said room shall be equipped with lockers with lock and key, and said employees shall be permitted to store their clothing and dinner pails in said lockers.

Sufficient washing conveniences shall be provided in said room or building for the use of said employees, and sufficient benches or seats shall be provided for the use of employees in said room or building, and said room or building shall at all times be properly heated and shall be kept in a clean and sanitary condition. It shall be the duty of the mine inspector to see that the provisions of this section are properly enforced. Any person, firm, or corporation operating a lead or zinc mine in this State failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than \$5 or more than \$25.

(Laws 1915, H. B. 806, p. 331.)

An act to provide for the use of sanitary drinking devices.

SECTION 1. *Amending article 2, chapter 81, by adding a new section thereto*.—That article 2, chapter 81, Revised Statutes of Missouri, 1909, be, and the same is hereby, amended by adding one new section thereto, to be known as section 8469c, which section shall read as follows:

Sec. 8469c. *Sanitary drinking devices*.—Every owner, agent, or operator of any lead or zinc mine in this State, employing 10 or more men shall provide sanitary drinking devices for the use of their employees.

### Montana.

#### SALE AND USE OF POISONS.

(Laws 1915, chap. 134.)

SECTION 1. That it shall hereafter be unlawful for any person other than a registered pharmacist, as hereinafter defined, to retail, vend, compound, or dispense drugs, medicines, poisons, chemicals, or pharmaceutical preparations in the State of Montana, or to institute, conduct, or manage a store, shop, pharmacy, or institution for the selling,

vending, compounding, or dispensing of drugs, medicines, poisons, chemicals, or pharmaceutical preparations in the State of Montana, unless such be a registered pharmacist as by this act provided, or unless a registered pharmacist is placed in charge of such store, pharmacy, shop, or institution for the retailing, vending, compounding, or dispensing of drugs, medicines, poisons, chemicals, and pharmaceutical preparations. \* \* \*

SEC. 12. Any proprietor of a pharmacy, or any other person who shall permit the compounding or dispensing of physicians' prescriptions, or the vending of drugs, medicines, poisons, chemicals, or pharmaceutical preparations in his store or place of business, except by a registered pharmacist, in the meaning of this act, or under the immediate supervision of a registered pharmacist, or who, while continuing in the pursuit of pharmacy in the State of Montana, shall fail or neglect to procure his annual registration, or any person who shall willfully make any false representations to procure for himself or for another registration under this act, or who shall violate any provisions of this act, for each and every offense, be liable to a fine of not less than \$25 nor more than \$250: *Provided*, That nothing in this act shall interfere with the keeping, distributing, or handling of drugs, acids, or poisons by merchants or corporations for use in their business when kept in original and plainly labeled packages: *Provided also*, That nothing in this act shall interfere with any physician in his regular practice, nor with the wholesale business of any dealers, nor with the business of merchants in towns where there is no regularly licensed pharmacist when selling drugs, medicines, pharmaceutical or proprietary medicinal preparations in original and plainly labeled packages as the public may require: *Provided also*, That nothing herein shall be construed to prevent the sale of any patent or proprietary medicine in the original package when plainly labeled, nor such nonmedicinal articles as are usually sold by general merchants.

SEC. 13. Every person who shall keep a pharmacy, store, shop, or institution for the compounding or dispensing of physicians' prescriptions, or for the sale of drugs, medicines, chemicals, or pharmaceutical preparations, must carry the official preparations of the United States Pharmacopœia and the National Formulary and dispense the same. \* \* \*

#### OCCUPATIONAL INTOXICATIONS.

(Laws 1915, chap. 96.)

An act providing for the protection and safety of workmen in all places of employment and for the inspection and regulation of places of employment in all inherently hazardous works and occupations; providing a schedule of compensation for injury to or death of workmen and methods of paying the same, and prescribing the liability of employers who do not elect to pay such compensation; establishing the industrial accident board, defining its powers and duties; and providing for a review of its awards.

SEC. 3. (f) Every employer engaged in the industries, works, occupations, or employments in this act specified as "hazardous" may on or before the 1st day of July, 1915, if such employer be then engaged in such hazardous industry, work, occupation, or employment, or at any time thereafter, or, if such employer be not so engaged on said date, may on or after 30 days before entering upon such hazardous work, occupation, or employment, or at any time thereafter, elect whether he will be bound by either of the compensation plans mentioned in this act. Such election shall be in the form prescribed by the board and shall state whether such employer shall be bound by compensation plan No. 1, or compensation plan No. 2, or compensation plan No. 3, and a notice of such election, with the nature thereof, shall be posted in a conspicuous place in the place of business of such employer, and a copy of such notice, together with an affidavit of such posting, shall be filed with the board.

SEC. 3. (g) Every employee in the industries, works, occupations, or employments in this act specified as "hazardous" shall become subject to and be bound by the provisions of that plan of compensation which shall have been adopted by his employer unless such employee shall elect not to be bound by any of the compensation provisions of this act and until such employee shall have made such election. Such election shall be made by written notice in the form prescribed by the board, served upon the employer, and a copy filed with the board, together with the proof of such service.

SEC. 3. (k) No compensation shall be paid to any employee, whether such employee has elected to come under this act or not, where his employer has failed to elect, and has failed to come under one or the other of the compensation plans herein provided.

SEC. 4. (a) This act is intended to apply to all inherently hazardous works and occupations within this State. \* \* \*

SEC. 5. If there be or arise any hazardous occupation or work other than hereinbefore enumerated, it shall become, under this act and its terms, conditions, and provisions as fully and completely as if hereinbefore enumerated.

SEC. 50. (a) No employer shall construct, maintain, or operate, or cause to be constructed, maintained, or operated any place of employment that is not safe.

SEC. 50. (b) No employee shall remove, displace, damage, destroy, or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for the protection of any employee in such employment or place of employment, or fail or neglect to do anything reasonably necessary to protect the life and safety of himself and other employees. \* \* \*

SEC. 50. (d) The board shall have power, in addition to other powers herein granted, by general or special orders, rules, or regulations, or otherwise:

1. To declare and prescribe what safety devices, safeguards, or other means or methods of protection as are well adapted to render employees and places of employment safe.

2. To fix such reasonable standards and to prescribe for the adoption, installation, use, maintenance, and operation of safety devices, safeguards, and other means and methods of protection as may be necessary for the protection of the life and safety of employees.

3. To fix and order such reasonable standards for the construction, repair, and maintenance of places of employment as shall render them safe.

4. To require the performance of any act necessary for the protection of life and safety of employees. \* \* \*

#### PRACTICE OF PHARMACY.

(Laws 1915, chap. 134.)

An act to regulate the practice of pharmacy and regulating the manufacture and sale of drugs and medicines in the State of Montana and providing penalties for the violation of this act.

#### STANDARDS FOR DRUGS.

(Laws 1915, chap. 134.)

SEC. 13. \* \* \* The preparations carried in stock, made or dispensed by such person, where the same are covered by the United States Pharmacopœia or the National Formulary, shall conform to the United States Pharmacopœia and the National Formulary.

## Nebraska.

## SALE AND USE OF POISONS.

(Laws 1915, chap. 194.)

SECTION 1. *Embalming fluids containing arsenic prohibited.*—That no person, firm, or corporation, or copartnership shall manufacture, give away, sell, expose for sale or deliver any embalming fluid or other fluids of whatsoever name, to be used for or intended for use in the embalming of dead human bodies, which contain arsenic or strychnine, or preparations, compounds, or salts thereof, without having the words "arsenic contained herein" or "strychnine contained herein" (as the case may be) written or printed upon a label pasted on the bottle, cask, flask or carboy in which said fluid shall be contained.

SEC. 2. *Undertakers not to use.*—No undertaker or other person shall embalm with, inject into, or place upon any dead human body any fluid or preparation of any kind which contains arsenic or strychnine, or preparations, compounds, or salts thereof.

SEC. 3. *Penalty.*—Any person, firm, corporation, or copartnership who shall violate any provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$100.

(Laws 1915, chap. 196.)

SECTION 1. *Physicians to use nitrate of silver on eyes of new-born babies.*—It shall be the duty of every physician in attendance upon any lying-in woman, either in hospital or the general practice upon the delivery of any newly-born child, to use in the eyes of said child one of the following preparations:

Nitrate of silver, 1 per cent to 4 per cent solution.

Protaragol, 10 per cent to 40 per cent solution.

Argyrol, 40 per cent to 50 per cent solution.

No additional fee shall be charged by any physician for the furnishing or use of the preparation herein prescribed.

SEC. 2. *Penalty for failure to use.*—Any physician violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$50 and his physician's license shall be subject to revocation by the state board of health.

## SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 195.)

SECTION 1. *Cocaine, opium, morphine, sale of regulated.*—It shall be unlawful for any druggist, drug firm, or corporation or any other person, copartnership or corporation, to sell, barter, exchange, dispense, or give away any cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances or any of their salts, compounds, or derivatives except upon the written prescription of a duly licensed practicing physician of the State of Nebraska, which prescription shall contain the date when given, the name and address of the person for whom prescribed and by whom to be used, and be signed by the physician prescribing same, and the address of the physician shall be affixed thereto, and when such prescription is received to be filled the person filling same shall affix to said prescription his name and address and the date of filling said prescription, and said prescription shall be retained on file within the State of Nebraska where the same shall have been filled, by the person, firm, copartnership, or corporation filling same, for a period of at least two years; and said prescription shall not be filled more than once, and no copy of it shall be taken by any person, and said original prescription shall at all times be open to the inspection of the prescriber,

to the State board of pharmacy, State, county, or city health officers, county attorneys, grand juries, and all officers of the law, and such agent as may be appointed by them or any of them for the purpose of making said inspection; and except also that such cocaine, alpha or beta eucaine, morphine, opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances, or any of their salts, compounds, or derivatives, may lawfully be sold at wholesale to a duly licensed and registered pharmacist or druggist, duly licensed practicing physician, duly licensed practicing veterinarian, or duly licensed practicing dentist, upon the written and signed order of such duly licensed and registered pharmacist or druggist or duly licensed and practicing physician, veterinarian, or dentist, in which case the wholesale dealer shall, before delivering any of said articles, make or cause to be made, in a book kept for the purpose, an entry of the sale thereof, stating the date of sale, quantity sold, name and form in which sold, the name and address of the purchaser, the name and address of the person to whom the entry is made, and the name and address of the person filling the order; and the said book shall be preserved and retained within the State of Nebraska, at the place where said order was filled, for a period of at least two years from the date of the last entry therein and always be open for inspection by the State board of pharmacy, State, county, and city health officers, county attorneys, grand juries, and all officers of the law, and by agents appointed by them or any of them for the purpose of making said inspection.

SEC. 2. *Same, sale by druggists.*—It shall be unlawful for any person, copartnership, or corporation to administer to any person any cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances or any of their salts, compounds, or derivatives, except that such drugs, or any of them, may be administered by any duly licensed practicing physician, by any duly licensed practicing dentist, or duly licensed practicing veterinarian, in the course of his professional practice only, to a patient when necessary for medical purposes, except, however, as prohibited in section 4 of this act or otherwise prohibited by law.

SEC. 3. *Same, prescriptions.*—The above provisions, contained in sections 1 and 2 of this act, shall not apply to prescriptions, preparations, and remedies containing not more than 2 grains of opium, or not more than one-fourth grain of morphine, or not more than one-eighth grain of heroin, or not more than 1 grain of codeine in 1 fluid ounce, or, if a solid preparation, in 1 avoirdupois ounce, or to liniments, ointments, suppositories, or plasters, when said liniments, ointments, suppositories, or plasters do not contain cocaine or any of its salts or derivatives or alpha or beta eucaine or any synthetic substitute for either of them, when plainly labeled "for external use only" and in good faith intended for that purpose.

SEC. 4. *Physicians prescribe, how, when.*—It shall be unlawful for any duly licensed practicing physician to prescribe, or for any duly licensed practicing physician, dentist, or veterinarian to administer in any manner or form any cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances or any of their salts, compounds, or derivatives for or to any person addicted to the habitual use of cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances or any of their salts, compounds, or derivatives, except that a reputable and duly licensed practicing physician may personally administer to a patient who is an habitual user of said drugs or any of them necessary doses thereof when it has been in good faith determined by two reputable and duly licensed practicing physicians in consultation to be absolutely necessary in the medical treatment of said patient, in which case the

physician administering said drugs or any of them shall make and keep a record in writing of the name and address of the person to whom said drugs or any of them were administered, date administered, form and quantity of drug administered, name and address of consulting physician, date and place of consultation, which record shall be retained and preserved within the State of Nebraska and the county where administered for a period of at least two years, and shall always be open for inspection by the State board of pharmacy, State, county, and city health officers, county attorneys, grand juries, and all officers of the law, and by agents appointed by them or any of them for the purpose of making an inspection, and which record shall be made at the time of each administering of said drugs or any of them; and a copy of said record shall, within five days after each administering of said drugs or any of them as in this section provided, be filed with the county attorney of the county in which said administering took place, by the physician administering said drugs or any of them, and shall have affixed thereto the signature and address of the administering physician.

SEC. 5. *Violations—Penalty.*—Any person violating any of the provisions or requirements of the foregoing and preceding sections of this act or any part thereof shall be guilty of a felony, and for each violation thereof shall be punished, on conviction thereof, by imprisonment in the penitentiary for not less than one year nor more than five years, or by a fine not less than \$100 nor more than \$2,000, in the discretion of the court.

SEC. 6. *Repeal.*—That said section 8607 of the Revised Statutes of Nebraska for 1913 is repealed, and all acts or parts of acts in conflict with this act are hereby repealed.

SEC. 7. *Emergency.*—Whereas an emergency exists, this act shall be in force upon and after its passage and approval.

#### DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, chap. 193.)

SECTION 1. *Live stock—remedy defined.*—The term "live-stock remedy" as used in this act shall be held to include all condimental feed, medicated stock foods, medicinal stock foods, stock food tonics, stock powders, proprietary medicines, or any preparation of like nature designed for any animal except man and administered internally for their stimulating, invigorating, curative or other powers: *Provided*, That this shall not be held to include proprietary medicines designed primarily for man but used occasionally for live stock or poultry.

SEC. 2. *Each package to be labeled of weight, ingredient, etc.*—Every barrel, bag, pail, parcel, or package of live-stock remedy as defined in section 8 of this act shall have affixed thereto in the English language in legible type, not smaller than 8-point heavy Gothic caps or plainly written, a statement certifying—

First. The net weight or measure in the package.

Second. The name, brand, or trade-mark under which the article is sold.

Third. The name and address of the manufacturer, importer, dealer, or agent.

Fourth. The name and percentage of any poisonous or deleterious ingredient and the name and percentage of diluents or bases present.

SEC. 3. For the purpose of this act the term "diluent" or bases shall include all mill feeds of all kinds, elevator dust, linseed meal, earth, salt, sand, ashes, slaked lime, gypsum, talc, or other inert or nonmedical ingredients.

SEC. 4. *Deceptive branding unlawful.*—It shall be unlawful for any "live-stock remedy" to be labeled or branded so as to deceive or mislead the purchaser in any way and the contents of any such package shall not be substituted in whole or in part for any other contents and any statement, design, or device upon the label or package regarding the substances contained therein shall be true and correct, and any claim made for the feeding, condimental, tonic or medicinal value, shall not be false or misleading in any particular.

SEC. 5. *Manufacturer and dealer to register.*—Before any manufacturer, importer, or dealer or agent shall offer or expose for sale in this State any live-stock remedy as defined in section 1 of this act, he shall register with the State food, drug, and oil commissioner each brand of live stock offered for sale, on blanks furnished by said commissioner, on which shall be stated a list of ingredients composing said remedy. Wherever any manufacturer or importer of such live-stock remedy shall have made such registration herein required, no other person, or agent of such manufacturer or importer shall be required to make such registration: *Provided*, A fee of \$5 shall be collected by the food commissioner for each brand registered.

SEC. 6. *Form of tags.*—The State food, drug, dairy, and oil commissioner is hereby empowered to prescribe the form of tags and adopt such regulations as may be necessary for the prompt and effective enforcement of this act.

SEC. 7. *Penalty for violating law.*—Any person, firm, or corporation who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$100 and costs of prosecution.

SEC. 8. *Repeal.*—That said original article VII, chapter 1, Revised Statutes of Nebraska for 1913 is hereby repealed.

SEC. 9. *Emergency.*—Whereas an emergency exists, this act shall take effect and be in force from and after its passage and approval according to law.

#### POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, chap. 47.)

An act to amend sections 2527, 2528, and 2532 of the Revised Statutes of Nebraska for 1913 and to repeal said original sections and to declare an emergency.

SECTION 1. *Amendment.*—That section 2527 of the Revised Statutes of Nebraska for 1913 be amended to read as follows:

SEC. 2527 (as amended). *Food commissioner—Deputy—Salary—Qualifications—Powers.*—The governor of this State is hereby made the food, drug, dairy, and oil commissioner and there is hereby imposed upon him the duty of executing all the provisions of this chapter and of all other acts in force or which may be hereafter enacted relating to food, drug, dairy, and oil products, and such other duties as may be imposed by law. The governor is hereby authorized to appoint a deputy commissioner who shall receive a salary of \$2,500 per annum, and who shall hold office at the pleasure of the governor. Said deputy shall have knowledge of chemistry, drugs, food products, dairy products, and oils. He shall, from time to time, promulgate such rules and regulations as are necessary and proper to promptly and effectively enforce the provisions of this chapter. In the performance of his duties he is authorized and empowered to examine, under oath or otherwise, any person he has reason to believe has knowledge of any unlawful operation or unsanitary condition of any creamery, public dairy, butter, cheese, or ice-cream factory, or of any place where foods are manufactured, produced, prepared, or offered for sale; to issue subpoenas for the appearance of witness and the production of books and papers, and to administer oaths with like effect as is done in courts of law in this State. In the examination of any witness and in requiring the production of books, papers, and other evidence he shall have and exercise all of the powers of a judge, magistrate, or other officer in the taking of depositions or the examination of witnesses including the power to enforce his orders by fine or commitment for refusal to answer or for the disobedience of any such order.

SEC. 3. *Amendment.*—That section 2532 of the Revised Statutes of Nebraska for 1913 be amended to read as follows:

SEC. 2532 (as amended). The deputy commissioner shall make a biennial report to the governor on or before the 15th day of December preceding the meeting of the legislature of each biennium for the biennium ending the 30th day of November

preceding it. The report shall give a concise statement of the affairs of the department, a full statement of all the receipts and disbursements for the preceding biennium, of the inspections of oils as hereinafter provided and the action of the department in the matter of the inspection of food, drug, dairy, and oil products. The report shall be printed, published, and distributed in a manner similar to the reports required of other State officers. In June, September, and December of each year the deputy commissioner shall furnish to the county clerk of each county of the State a certified list of all foods, food products, liquors, beverages, medicines, and remedies found by analysis to be adulterated with the name and brand of the articles, the name of the manufacturer, and the name of the injurious adulterant. This list shall at all times be subject to public inspection.

SEC. 5. *Repeal.*—That said original sections 2527, 2528, and 2532 of the Revised Statutes of Nebraska for 1913, as heretofore existing, be and the same are hereby repealed.

(Laws 1915, chap. 192.)

An act to define concentrated commercial feeding stuffs and to regulate the sale thereof, to provide for their inspection and the fees therefor. \* \* \*

SECTION 1. *Commercial feeding stuffs—Defined.*—The term "Concentrated commercial feeding stuffs" as used in this act shall include all feeding stuffs used for feeding live stock and poultry except whole unmixed seeds or grains, when not mixed with other materials. whole hays, straws and corn stover, and unmixed meals made from the entire grains of wheat, rye, oats, Indian corn, buckwheat, or broom corn.

SEC. 5. *Analysis, food commissioner make.*—The State food, drug, dairy, and oil commissioner may cause to be made analysis of all concentrated commercial feeding stuffs sold or offered for sale in this State. \* \* \*

SEC. 6. *Purchaser may have analysis made.*—Any person purchasing any concentrated commercial feeding stuffs in this State for his own use may submit fair samples of said feeding stuffs to the State food, drug, dairy, and oil commissioner, who upon receipt of an analysis fee of \$1 for each sample of concentrated commercial feeding stuff, shall cause an analysis of the same to be made.

SEC. 7. *Food commissioner to enforce law.*—It is hereby made the duty of the State food, drug, dairy, and oil commissioner to enforce the provisions of this act. The inspectors, assistants, and chemists appointed by the State food, drug, dairy, and oil commissioner shall perform the same duties and have the same authority under this act as are prescribed by article 1, chapter 24, Revised Statutes of Nebraska for 1913.

### Nevada.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 101.)

An act to amend sections 6 and 8 of an act entitled: "An act to regulate the sale and use of poisons in the State of Nevada, and providing a penalty for the violation thereof," approved March 24, 1913.

SECTION 1. Sections 6 and 8 of said act are hereby amended to read as follows:

SEC. 6 (as amended). It is hereby made the duty of the district attorney of the county wherein any violation of this act is committed, to conduct all actions and prosecutions for the same, at the request of the board of pharmacy: *And provided further*, That any narcotic or narcotics, or their derivatives, may be seized by the judge of the court in which final conviction was had, that the judge shall turn all such evidence over to the Nevada State board of pharmacy; *And provided further*, That the said board of pharmacy may dispose of all narcotics now on hand or hereafter coming into their possession, either by gift to the medical director of the Nevada State prison, or the State hospital, or by sale to wholesale druggists. the funds received from such sale



to be applied by the board of pharmacy to the carrying out of the provisions of this act, creating such Nevada State board of pharmacy.

SEC. 8 (as amended). It shall be unlawful for any person, firm, or corporation to sell, furnish, or give away, or offer to sell, furnish, or give away, or to have in their or his possession any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, or chloral hydrate, or any of the salts, derivatives, or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon, licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than 8 grains of opium, or 1 grain of morphine, or 2 grains of codeine, or one-half grain of heroin, or 1 grain of cocaine, or 1 grain of alpha eucaine, or 1 grain of nova caine, or 60 grains of chloral hydrate, excepting upon the written order of the prescriber for each and every subsequent compounding or dispensing. No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the subscriber and properly authorized officer of the law, and shall be preserved for at least three years from the date of the filing thereof: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers, and manufacturers to pharmacies legally licensed and doing business under the laws of the State of Nevada, or physicians, nor to each other, nor to the sale by pharmacies to physicians, dentists, or veterinary surgeons duly licensed to practice in this State: *Provided further*, That all such wholesale jobbers, wholesalers, and manufacturers, in this section mentioned, shall, before delivery to any person, firm, or corporation of any of the articles in this section enumerated, make or cause to be made in a book kept for that purpose only, an entry of the sale of any such article, stating the date of such sale and quantity and name of the article and form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry and sale was made, also a statement showing how delivery was had, whether delivered personally or forwarded by mail, express, or by freight, which book shall be substantially as follows:

Date of sale.	Quantity and name of article.	Name of purchaser.	How delivered.	Name of person selling.

And said books shall always be open for inspection by any peace officer or citizen, or any member of the board of pharmacy, or any inspector by them authorized, and such book shall be preserved for at least five years after the date of the last entry therein. It shall be unlawful for any practitioner of medicine, dentistry, or veterinary surgeon to furnish to, or prescribe for the use of, any habitual user of the same, any cocaine, opium, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative, or compounds, and it shall be unlawful for any practitioner of dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or of any veterinary surgeon to prescribe any of the foregoing substances, for the use of any human being: *Provided, however*, That

the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not for substances furnished for the purpose of evading the purposes of this act: *Provided*, That the above provisions shall not apply to prescriptions sold or dispensed without a physician's prescription containing less than 2 grains of opium, or one-fourth grain of morphine, or one-half grain of codeine, or one-sixth grain of nova caine, or one-sixth grain beta eucaine, or 10 grains chloral hydrate in 1 fluid ounce, or, if a solid preparation in 1 avoirdupois ounce, or to the sale of strychnine or other poisons for the purpose of destroying noxious wild animals: *And it is further provided*, That it shall be the duty of every proprietor or manager of a pharmacy or drug store within the State of Nevada to keep a true and correct record of all orders forwarded to wholesalers, jobbers, or manufacturers or traveling salesmen for the purchase of, in any manner, any cocaine, opium, yen shee, morphine, codeine, heroin, or chloral hydrate, or any salt derivative or compound thereof, within the meaning of the provisions of this act: *Provided further*, That a true and correct copy of all orders, forwarded by United States mail or otherwise, or given personally any traveling salesman, for narcotic drugs as specified in this section, shall be forwarded by registered mail to the secretary of the Nevada State board of pharmacy within 24 hours after the forwarding of such order direct or through a representative or traveling salesman: *And provided further*, The taking of any order, or making of any contract or agreement, by any salesman or representative, or any employee or person, firm, or corporation, for future delivery in this State, for any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative or employee within the meaning of the provisions of this act: *Provided further*, That a true and correct copy of all orders, contracts, or agreements taken for narcotic drugs specified in this section by any traveling representative or employee shall likewise be forwarded by such traveling representative or employee by registered mail to the secretary of the Nevada State board of pharmacy within 24 hours after the taking of such order, contract, or agreement, unless such order, contract, or agreement is recorded by entry in a book used for that purpose only by some wholesale jobber, wholesaler, or manufacturer permanently located in this State, as provided for in this section.

#### SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 178.)

An act to provide revenue for the support of the government of the State of Nevada and to repeal all acts and parts of acts in conflict therewith.

SEC. 6. Every person, firm, company, or corporation manufacturing or selling, either at retail or wholesale, any spirituous, malt, or vinous liquors, shall, in addition to other licenses provided by law, take out a State license as hereinafter provided, which license shall not be transferable by sale, assignment, or otherwise.

SEC. 8. The sheriffs of the respective counties, as ex officio collectors of licenses, shall issue and collect all State liquor licenses, and shall upon the payment of \$100 issue a retail State liquor license to any person, firm, company, or corporation engaged in selling spirituous, malt, or vinous liquors in quantities less than 5 gallons, and the word "Retail" shall be written in red ink across the face of such licenses: *Provided*, That retail drug stores shall not be required to pay more than \$25 per annum for such retail State liquor license when the liquors disposed of by such drug stores are for medicinal purposes only and on the prescription of a regularly licensed and practicing physician.

(Laws 1915, chap. 234.)

An act to amend an act entitled "An act concerning crimes and punishments and repealing certain acts relating thereto," approved March 17, 1911, by adding thereto a new section, to be known as section 242a.

SECTION 1. The above-entitled act is hereby amended by adding a new section, to be known as section 242a, as follows:

SEC. 242a. Any Indian soliciting any person to purchase any intoxicating liquor or substance as set out in the next preceding section of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$500 nor less than \$100, or be imprisoned in the county jail for a term of not less than 60 days nor more than 100 days.

### **New Hampshire.**

#### **SALE AND USE OF POISONS.**

(Laws 1915, chap. 118.)

SECTION 1. Every lot or package of fungicide or insecticide which is manufactured, sold, distributed, or offered or exposed for sale in this State shall have affixed in a conspicuous place on the outside thereof a plainly printed statement clearly and truly stating the net ounces or pounds in the package or container, the name or trademark under which the article is sold, the name and address of the manufacturer or shipper, the place of manufacture, and also a statement of the chemical or physical composition of the material, as follows: First, in case of Paris green and lead arsenate, the minimum per centum of total arsenic and the maximum per centum of water-soluble arsenic which it contains; second, in the case of fungicides and insecticides, other than Paris green and lead arsenate, the name and per centum of active ingredients, or the quality or strength under which the material is sold, and in addition the per centum of inert materials which it contains, as hereinafter provided.

SEC. 2. Every manufacturer, company, corporation, or person shall, before selling, offering, or exposing for sale or distribution in this State any fungicide or insecticide, file annually during the month of December with the commissioner of agriculture a certified copy of the statement specified in the preceding section, said certified copy to be accompanied, when the commissioner shall so request, by a sealed glass jar or bottle containing at least 1 pound of the fungicide or insecticide sold or offered for sale; and the company or person furnishing said sample shall thereupon make affidavit that said sample corresponds to the statement as printed upon all packages or containers sold or offered for sale or distribution. At the time of filing such certificate there shall be paid to the commissioner of agriculture a registration fee of \$10. Whenever the manufacturer, company, corporation, or person shall have filed the statement required in section 2 of this act and paid the registration fee, no agent or seller shall be required to file such statement or pay such fee.

SEC. 3. The commissioner of agriculture may cause to be analyzed or otherwise tested, at the New Hampshire agricultural experiment station, samples of fungicides or insecticides sold or offered for sale under the provisions of this act, the cost of said analysis or test to be defrayed from the funds received for registration under section 2. The result of the analyses or tests, together with such additional information as may be deemed necessary, may be published in bulletins from time to time by the commissioner of agriculture or by the Agricultural College experiment station, as the governor and council may direct.

SEC. 4. Any manufacturer, company, corporation, or person who sells, or offers or exposes for sale, any adulterated or misbranded goods, or who shall refuse to comply with or conform to the provisions of this act, shall, upon conviction in a court of competent jurisdiction, be fined not more than \$50 for the first offense and not more than \$100 for each subsequent offense.

SEC. 5. Whenever the commissioner becomes cognizant of the violation of any of the provisions of this act, he shall prosecute the party or parties thus reported; but it shall be the duty of the commissioner, upon ascertaining any violations of this act, to forthwith notify the manufacturer or dealer in writing and give him not less than 30 days to comply with such provisions.

SEC. 6. For the purposes of this act any brand of fungicide or insecticide shall be deemed to be adulterated—

In case of Paris green:

1. If it does not contain at least 50 per cent of arsenious oxid ( $\text{As}_2\text{O}_3$ ).
2. If it contains arsenic in water-soluble forms equivalent to more than  $3\frac{1}{2}$  per cent of arsenious oxid ( $\text{As}_2\text{O}_3$ ).
3. If any substance has been mixed or packed with it so as to reduce or injuriously affect its quality or strength.

In case of lead arsenate paste:

1. If it contains more than 50 per cent water.
2. If it contains total arsenic equivalent to less than  $12\frac{1}{2}$  per cent of arsenic oxid ( $\text{As}_2\text{O}_5$ ).
3. If it contains arsenic in water-soluble forms equivalent to more than  $\frac{7.5}{100}$  per cent of arsenic oxid ( $\text{As}_2\text{O}_5$ ).

4. If any substances have been mixed with it so as to reduce or injuriously affect its quality or strength: *Provided, however,* That extra water may be added to lead arsenate paste of the resulting mixture is labeled lead arsenate and water, the percentage or extra water being plainly and correctly stated on the label.

In case of lead arsenate powder:

1. If it contains total arsenic equivalent to less than 25 per cent of arsenic oxid ( $\text{As}_2\text{O}_5$ ).
2. If it contains arsenic in water-soluble forms equivalent to more than  $1\frac{1}{2}$  per cent of arsenic oxid ( $\text{As}_2\text{O}_5$ ).
3. If any substances have been mixed with it so as to reduce or injuriously affect its quality or strength.

In the case of fungicides or insecticides, other than Paris green and lead arsenate:

1. If its strength or purity fall below the professed standard or quality under which it was sold.
2. If any substance has been substituted wholly or in part for the article.
3. If any valuable constituent of the article has been wholly or in part abstracted.

SEC. 7. For the purposes of this act any brand of fungicide or insecticide shall be deemed to be misbranded—

1. If it be an imitation or offered for sale under the name of another article.
2. If it be labeled or branded so as to deceive or mislead the purchaser, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package.
3. If the name of the article and the weight or measure are not plainly and correctly stated on the outside of the package.

In the case of fungicides and insecticides other than Paris green and lead arsenate—

1. If it contains arsenic in any of its combinations or in the elemental form, and the total amount of arsenic present (expressed as per cent of metallic arsenic) is not stated on the label.
2. If it contains arsenic in any of its combinations or in the elemental form, and the amount of arsenic in water-soluble forms (expressed as per cent of metallic arsenic) is not stated on the label.
3. If it consists partially or completely of an inert substance or substances which do not prevent, destroy, repel, or mitigate insects or fungi, and does not have the names and per cent amounts of each and every one of such inert ingredients plainly

and correctly stated on the label: *Provided, however,* That in lieu of naming and stating the per cent amount of each and every inert ingredient the producer may, at his discretion, state plainly upon the label the correct names and per cent amounts of each and every ingredient of the fungicide or insecticide having fungicidal or insecticidal properties, and make no mention of the inert ingredients, except in so far as to state the total per cent of inert ingredients present.

Sec. 8. This act shall take effect September 1, 1915.

(Laws 1915, chap. 133.)

Sec. 36. No person shall take any fish by the use of any poisonous, stupefying, or explosive substance. Possession of any such substances by a person on the waters, shore, or islands of this State, except for mining or mechanical purposes, shall be a violation of the provisions of this section.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 160.)

An act in amendment of section 2, chapter 162, laws of 1909, as amended by section 1, chapter 7, laws of 1911, relating to the sale of morphine, heroin, codeine, and cocaine.

SECTION 1. Section 2 of chapter 162, laws of 1909, as amended by section 1 of chapter 7, laws of 1911, is hereby amended by inserting after the word "barroom" in the fifth line the words, pool room, news stand, or other places to which persons are permitted generally to resort, and by inserting after the word "same" in the eighth line the words, morphine, heroin, codeine, or any derivatives of the same; so that said section as amended shall read as follows:

Sec. 2. It shall be unlawful for any person, firm, or corporation to sell, exchange, deliver, expose for sale, give away, or have in his possession or custody with intent to sell, exchange, deliver, or give away, in any street, way, square, park, or other public place, or in any hotel, restaurant, liquor saloon, barroom, pool room, news stand, or other places to which persons are permitted generally to resort, public hall, place of amusement, or public building, any cocaine, or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine, or any derivatives of the same; provided, however, that the foregoing provisions shall not apply to sales to apothecaries, druggists, physicians, veterinarians, and dentists, nor to sales by apothecaries or druggists upon the original prescription of a physician, provided the prescription is retained and kept on file as authority for the sale and not refilled.

Sec. 2. This act shall take effect on its passage.

#### DRUGS TO BE ANNOUNCED ON LABEL.

(Laws 1915, chap. 62.)

An act in amendment of section 4, chapter 48, laws of 1907, entitled "An act for preventing the manufacture or sale of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors."

SECTION 1. Section 4, chapter 48, laws 1907, is hereby amended by adding the following paragraph:

Third. If the package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effects, of such article, or any of the ingredients or substance contained therein, which is false or fraudulent. (See also Laws 1915, chap. 118, under "Sale and use of poisons.")

**METHYL ALCOHOL.**

(Laws 1915, chap. 3.)

An act relating to the labeling of wood alcohol.

SECTION 1. No person shall sell, offer for sale, deal in, or supply, or have in his possession with intent to sell, offer for sale, give away, deal in or supply, any article of food or drink, or any medicinal or toilet preparation or perfume intended for human use internally or externally, which contains any wood naphtha, otherwise known as wood alcohol, or methyl alcohol, either crude or refined, under or by whatever name or trade-mark the same may be called or known.

SEC. 2. No person shall sell, offer for sale, give away, deal in, or supply any wood naphtha, otherwise known as wood alcohol or methyl alcohol, either crude or refined, under or by whatever name or trade-mark the same may be called or known, unless the container in which the same is sold, offered for sale, given away, dealt in, or supplied, shall bear a notice containing the following conspicuously printed or stenciled thereon, viz:

POISON  
WOOD NAPHTHA  
or wood alcohol.

**Warning:** It is unlawful to use this fluid in any article of food, beverage, or medicinal or toilet preparation for human use internally or externally.

SEC. 3. No person shall sell or offer for sale any alcohol which has been denatured by the addition of wood alcohol or methyl alcohol, unless the container in which the same is sold or offered for sale shall be conspicuously labeled in red with the words, "Poison—Denatured alcohol."

SEC. 4. Whoever violates any provision of this act shall be punished by a fine not exceeding \$200, or by imprisonment not exceeding 30 days, or both such fine and imprisonment. Chapter 16, Laws of 1911, entitled "An act relating to the labeling of wood alcohol," is hereby repealed.

**SALE AND USE OF INTOXICATING LIQUORS.**

(Laws 1915, chap. 41.)

An act in amendment of section 6, chapter 95, laws 1903, entitled "An act to regulate the traffic in intoxicating liquors," as amended by section 3, chapter 49, laws 1905.

SECTION 1. Amend said section 3 by striking out the words and figures "from January 1, 1903," in line 8 of subsection entitled "Fifth class," and inserting in place thereof the words "for five years," so that said subsection as amended shall read as follows:

"Fifth class. For retail druggists and apothecaries to sell liquor of any kind for medicinal, mechanical, chemical, and sacramental purposes only, and for dealers in hardware, paints, and decorating materials to sell alcohol for mechanical and chemical uses only, the same to be sold in accordance with the provisions of this act. Any druggist not a registered pharmacist who shall have been continually in active business as a druggist for five years, and who employs a registered pharmacist, shall be entitled to a license in his own name under this subdivision, provided he be otherwise qualified."

(Laws 1915, chap. 67.)

An act against false or fraudulent prescriptions by physicians.

SECTION 1. Before a physician shall give to any person a prescription for intoxicating liquor, the physician shall make a diagnosis of the disease of the person applying for the prescription, and he shall exercise the same professional skill and care in giving a

prescription for intoxicating liquor as in giving a prescription for any poisonous drug. The prescription for intoxicating liquor for medicinal use shall be in the following form:

STATE OF NEW HAMPSHIRE,  
City or Town of .....

I, ....., a regular practicing physician under the laws of New Hampshire, do hereby certify that I have examined ....., a patient under my care, and I do hereby prescribe ..... (quantity) ..... of ..... (kind of liquor) .....; and I further certify that in my opinion such liquor is necessary to cure or alleviate the disease from which the patient is suffering.

(Signed) ....., M. D.

SEC. 2. Every prescription given by a physician for intoxicating liquor for medicinal use shall be canceled in the manner and be subject to the regulation prescribed in sections 22, 23, 24, and 25 of chapter 95, laws of 1903, and amendments thereto.

SEC. 3. The failure or neglect of a physician to make the examination and exercise the care in giving a prescription for intoxicating liquor, as specified in section 1 of this act, or any violation of the provisions of this act, shall be deemed making a false or fraudulent prescription, under the terms and penalties of section 25 of chapter 95, laws of 1903, as amended by section 15 of chapter 49, laws of 1905.

SEC. 4. It shall be the duty of the State board of license commissioners, in the administration of the license law in its application to druggists holding licenses of the fifth class, to direct the particular attention of the special agents to sales made by such druggists on physicians' prescriptions; and if there shall be found reason to believe that any physician has violated any of the provisions of this act in giving a prescription for intoxicating liquor, the board of license commissioners shall bring the matter to the attention of the attorney general for his official investigation and action thereon.

SEC. 5. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect May 1, 1915.

(Laws 1915, chap. 140.)

An act to prevent the increase of drunkenness in no-license cities and towns.

SECTION 1. In the cities and towns in which the provisions of chapter 112 of the public statutes and amendments thereto are in force and effect, if any person is convicted of drunkenness it shall be unlawful for such person to have in his possession any intoxicating liquor within a period of 12 months after the time of such conviction.

SEC. 2. If any person shall be convicted of a violation of section 1 of this act, he shall be punished by a fine of not more than \$10 and imprisonment in the house of correction for not less than 30 days nor more than 90 days for each offense; but the court may suspend the whole or any part of the penalty thus imposed upon such conditions as it may determine.

SEC. 3. Any intoxicating liquor in the possession of any person at the time of his arrest and conviction for drunkenness or any subsequent time during 12 months thereafter shall be subject to be forfeited, and the court having jurisdiction of the defendant shall make an order for its destruction by an officer of said court.

SEC. 4. Nothing in this act contained shall be construed to prevent a person having liquor for bona fide medicinal use upon the advice and prescription of a physician duly registered in New Hampshire.

### New Jersey.

#### SALE AND USE OF POISONS.

(Paterson, N. J., Reg. Bd. of H., July 14, 1914.)

SECTION 1. That no medicine, medicinal preparation, or preparation represented to cure ailments or diseases of the body or mind, or any sample or samples thereof, or any advertisement or circular relating thereto, shall be distributed, deposited, or left

on the public streets, highways, public places, or on private property or in any private place within the city of Paterson: *Provided, however,* That nothing in this ordinance shall be deemed to prohibit a delivery of any such article by handing the same to any person above the age of 12 years willing to receive the same.

SEC. 2. Any person or persons, corporation or corporations violating any of the provisions of this ordinance shall be subject to punishment by a fine of \$50.

#### SALE AND USE OF COCAINE AND NARCOTICS.

(Laws 1915, chap. 24.)

An act to amend an act entitled "A supplement to an act entitled 'An act for the punishment of crimes (revision of 1898),' approved June 14, 1898," which said supplement was approved April 13, 1908.

SECTION 1. Section 1 of the above-entitled act be, and the same is hereby, amended so as to read as follows:

SECTION 1 (as amended). Any person who shall sell, give away, furnish, or dispose of the alkaloid cocaine or its salts, alpha or beta eucaine, or their salts, opium, morphine, heroin, codeine, chloral, or any of the derivatives of chloral, or who shall sell, give away, furnish, or dispose of any of the admixtures of cocaine or eucaine or any patent or proprietary remedy containing cocaine or eucaine, except on the written prescription of a duly licensed and practicing physician, shall be guilty of a misdemeanor.

(Laws 1915, chap. 343.)

SECTION 1. Section 1 of the above-entitled act be, and the same is hereby, amended to read as follows:

SECTION 1 (as amended). It shall be unlawful for any person, firm, or corporation to sell, furnish, give away, or deliver any cocaine, betaeucaine, alphaeucaine, tropocaine, novocaine, strovaine, alypin, or any salt, derivative, or chemical compound of any of these substances, or any preparation, admixture, or compound containing any of these substances or their salts, derivatives, or chemical compounds, except upon the original written order or prescription of a duly licensed practitioner of medicine, dentistry, or veterinary medicine, which order or prescription, if ordered by a practitioner of veterinary medicine, shall state the kind of animal for which ordered. Such written order or prescription must be signed by the prescriber.

It shall be unlawful for any person, firm, or corporation to sell, furnish, give away, or deliver any chloral hydrate, opium, morphine, heroin, codeine, ethylmorphine (dionin), diacetyl morphine (heroin), or any salt, derivative, or chemical compound of any of the foregoing substances, or any preparation, admixture, or compound containing any of the foregoing substances or their salts, derivatives, or chemical compounds, except upon the original written order or prescription of a duly licensed practitioner of medicine, dentistry, or veterinary medicine, which order or prescription, if ordered by a practitioner of veterinary medicine, shall state the kind of animal for which ordered. Such written order or prescription must be dated and signed by the prescriber, and he must write thereon the name and address of the patient, and it may be again compounded or dispensed only if each fluid ounce, if a liquid, or each avoirdupois ounce, if a solid, contains not more than 2 grains of opium, or not more than one-quarter grain of morphine, or not more than 1 grain of codeine, or not more than one-eighth grain of diacetyl morphine (heroin), or not more than 40 grains of chloral hydrate, or not more than 1 of any salt or derivative of any drug herein named: *Provided,* That the above provision shall not apply to preparations sold or dispensed without a physician's prescription that contain not more than 2 grains of opium, or not more than one-quarter grain of morphine, or 1 grain of codeine, or one-eighth grain of diacetyl morphine in 1 fluid ounce, if a liquid, or, if a solid preparation, in 1 avoirdupois ounce, and not more than 1 of any salt, or derivative of any drug herein



named: *Provided, also, That the above provisions shall not apply to liniments, ointments, or plasters containing opium and plainly marked "for external use."*

Any person violating any provision of this section shall be guilty of a misdemeanor.

SEC. 2. Section 4 of the above-entitled act be, and the same is hereby, amended to read as follows:

SEC. 4 (as amended). It shall not be unlawful for any duly licensed practitioner of medicine, dentistry, or veterinary medicine to use, sell, or give away any of the substances, salts, derivatives, admixtures, or compounds mentioned in section 1 of this act for a legitimate or necessary purpose in the practice of his profession. Any licensed practitioner of medicine, dentistry, or veterinary medicine who shall give to any person a prescription or order for, or sell or give away any of the substances, salts, derivatives, admixtures, or compounds mentioned in section 1 of this act, except for a legitimate and necessary purpose in the practice of his profession, shall be guilty of a misdemeanor.

SEC. 3. Section 5 of the above-entitled act be, and the same is hereby, amended to read as follows:

SEC. 5 (as amended). It shall not be lawful for any manufacturing chemist, wholesale druggist regularly engaged in the business of selling drugs, or any registered pharmacist, to sell, supply or deliver any of the substances, salts, derivatives, admixtures, or compounds mentioned in section 1 of this act upon the written order of another manufacturing chemist, wholesaler regularly engaged in selling drugs, or of a registered pharmacist, licensed practitioner of medicine, dentistry, or veterinary medicine, or to sell to hospitals, colleges, scientific or public institutions, or to the sale of opium and the preparations thereof, or its alkaloids, their salts, and derivatives, upon the written order of a known manufacturer of proprietary medicine for the purpose of such manufacture: *Provided, That such manufacturing chemist, wholesaler, or registered pharmacist shall affix or cause to be affixed to each bottle, box, vessel, or package containing any such article sold, and upon the outer wrapper of the package as originally put up, a red label distinctly displaying the name and quantity of the article sold and the word "poison" with the name and place of business of the seller, and before making delivery of any such article make or cause to be made, in a book kept for that purpose, an entry of the sale thereof, stating the date of sale, quantity, name, and form in which sold, the name and address of the person purchasing the same, and by whom the same is made, and the said book shall be always open for inspection by the proper authorities, and shall be preserved for at least five years after the date of the last entry made therein.*

It shall be unlawful for any person who is not a licensed practitioner of medicine, or dentistry, or veterinary medicine, or a manufacturing chemist, or a wholesale dealer regularly engaged in selling drugs, or a registered pharmacist, or a common carrier when engaged in the legitimate discharge of such public service to bring into this State or have in possession any of the substances, salts, derivatives, admixtures, or compounds mentioned in section 1 of this act, except by reason of a prescription of a registered practitioner of medicine, dentistry, or veterinary medicine, or upon the written order of a registered pharmacist, manufacturing chemist, wholesale dealer in drugs: *Provided, That the possession of opium and preparations thereof or the alkaloids or derivatives of opium by a known manufacturer of proprietary medicines for the purpose of such manufacture shall not be unlawful.*

Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

SEC. 4. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect immediately.

## DRUGS TO BE ANNOUNCED ON LABEL.

(Laws of 1915, chap. 73.)

An act to amend an act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof (revision of 1907.)

SECTION 1. Section 4 of the act to which this is an amendment be, and the same is hereby, amended to read as follows: \* \* \*

For the purpose of this act an article shall also be deemed to be misbranded \* \* \* in the case of drugs: \* \* \*

Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, acetphenetidine, phenacetin or antipyrin, or any derivative or preparation of any such substance contained therein; provided, that nothing in this subdivision contained shall be construed to apply to such preparations as are specified and recognized by the United States Pharmacopœia, or National Formulary, which are in accordance therewith, or to the compounding of family or domestic recipes, or the filling of prescriptions furnished by practicing physicians, dentists, or veterinarians, the originals of which recipes and prescriptions are retained and filed by the druggists compounding or filling the same; and provided, further, however, that nothing in this act contained shall be construed to apply to such drugs or medicines as are personally dispensed by legally licensed physicians, dentists, or veterinarians in the course of their practice as such physicians, dentists, or veterinarians.

Third. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein which is false or fraudulent.

## POISONS IN ARTICLES OF COMMERCE.

(Laws 1915, chap. 357.)

SECTION 1. No person shall distribute or sell, or manufacture for distribution or sale, or have in his possession with intent to distribute and sell, any beverage which is a nonalcoholic drink within the meaning of this act which contains any boric acid or borate, salicylic acid or salicylate, formaldehyde, hydrofluoric acid, or fluoride, fluoborate, fluosilicate, or other fluorine compound, dulcin, glucin, saccharin, betanaphthol, hydronaphthol, abrastol, asaprol compound of copper, pyroligneous acid, coal-tar dye (except the certified colors now permitted by the United States Department of Agriculture, to wit: Amaranth, ponceau 3 R., erythrosin, orange I, naphthol yellow S., light green S. F. yellowish, indigo disulfo acid), saponin, except derived from soap bark or other substance, deleterious to health.

SEC. 2. No person shall distribute or sell, or have in possession with intent to distribute or sell, any nonalcoholic drink within the meaning of this act, which is an imitation of any other nonalcoholic drink, unless the bottle or other container in which the same is contained is plainly marked with the word imitation or artificial on the label or cap thereof, in letters of the same size and type as those of the name of such nonalcoholic drink under which the same is distributed or sold, or had in possession with intent to distribute or sell.

SEC. 3. The term "nonalcoholic drink" as used in this act shall include carbonated beverages of all flavors, sarsaparilla, ginger ale, soda water of all flavors, lemonade, orangeade, root beer, grape juice, and all other beverages of any kind or character, whether similar or not to the beverages specifically above mentioned, either containing no alcohol at all or containing not more than 1 per cent of alcohol.

SEC. 4. No person shall distribute or sell, or have in possession with intent to distribute or sell, any nonalcoholic drink at any place where false or fraudulent statements or designs are displayed concerning such nonalcoholic drink.

SEC. 5. Any person who shall violate any of the provisions of this act, or any of the rules and regulations made under authority contained in this act, shall be liable to a penalty of \$50 for the first offense, and to a penalty of \$100 for the second offense, and to a penalty of \$200 for the third and each subsequent offense; such penalties may be sued for and recovered by the same boards and officials, and in the same manner, as provided for the recovery of penalties in the act to which this act is a supplement, and such penalties, when recovered, shall be paid to the board or official recovering the same in the same manner as penalties recovered under the provisions of the act to which this act is a supplement.

SEC. 6. This act shall take effect on the 1st day of June, 1915.

(Laws 1915, chap. 74.)

SECTION 1. No person shall distribute or sell, or have in his possession with intent to distribute or sell, any meat or meat product to which any sodium sulphite, sodium bisulphite, or any drug, chemical, chemical compound, or preservative from which sulphur dioxide can be liberated, has been added thereto or mixed therewith.

SEC. 2. Every person who shall violate any of the provisions of this act shall be liable to a penalty of \$50 for the first offense and to a penalty of \$100 for the second and each subsequent offense. Payment of a penalty for any alleged violation of this act either before or after the institution of proceedings for the collection thereof, shall, for the purposes of this act, be deemed equivalent to a conviction of the violation for which such penalty was claimed.

SEC. 3. This act shall be enforced by the same boards and in the same manner as the act to which this is a supplement, and all penalties incurred under this act shall be sued for and recovered by the same boards and in the same manner as penalties incurred under provisions of the act to which this act is a supplement.

SEC. 4. This act shall take effect immediately.

(Laws 1915, chap. 73.)

An act to amend an act to secure the purity of foods, beverages, confectionery, condiments, drugs, and medicines, and to prevent deception in the distribution and sales thereof (revision of 1907).

SECTION 1. Section 4 of the act to which this is an amendment be, and the same is hereby, amended so as to read as follows: \* \* \*

In the case of food:

First. If it be in imitation of or offered for sale under the distinctive name of another article.

Second. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, acetphenetidine or phenacetin or antipyrin, or any derivative or preparation of any such substance contained therein.

Third. If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however,* That reasonable variations shall be permitted, and that the State board of health shall, by resolution, fix such tolerances and exemptions as to small packages as shall have been or may hereafter be fixed by the Secretary

of the Treasury, the Secretary of Agriculture, and the Secretary of Commerce and Labor of the United States of America, and such tolerances and exemptions shall be published at the end of the session laws of the legislature next thereafter published after the adoption of said resolution, and such tolerances and exemptions as fixed in said resolution shall take effect when so published: *Provided, however*, That if any such tolerance or exemption so adopted shall be changed by the three secretaries above mentioned, it shall not continue in effect in this State after such change has become effective.

Fourth. If the package containing it, or its label, shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular.

#### SALE AND USE OF INTOXICATING LIQUORS.

(Laws 1915, chap. 251.)

SECTION 1. The board of excise commissioners in any city in which the act to which this act is a supplement has or shall hereafter become operative shall have full power and authority, and is hereby empowered to pass, enact, and alter and repeal ordinances for the regulation and licensing of the sale or transfer of spirituous, vinous, malt, and other strong or intoxicating liquors, and to prescribe penalties for the violation thereof, and to fix the amount of the same: *Provided, however*, That no penalty shall exceed a fine of \$100: *And provided further*, That the recorder shall have power to cause any person or persons who shall be found guilty of a violation of any such ordinances, and who may refuse or neglect to pay the penalty imposed, to be committed to the county jail for any period not exceeding 30 days.

SEC. 2. The enacting clause of all such ordinances shall be: "*Be it ordained by the board of excise commissioners of the city of.....*" (inserting in the blank the corporate title of the city). The method now or hereafter in use for the passing, enacting, approving, altering, amending, publishing, and repealing of ordinances in such city shall be the method used to pass, enact, approve, alter, amend, publish, and repeal the ordinances herein contemplated.

SEC. 3. The courts which now or hereafter shall have jurisdiction over actions for the violation of ordinances of such city shall have jurisdiction in actions for the violation of such ordinances as are hereby contemplated, and said ordinances last mentioned shall be enforced by like proceedings and process, and the practice for the enforcement thereof shall be the same as that provided by law for the enforcement of the other ordinances of such city.

SEC. 4. All acts and parts of acts inconsistent with this act be and the same hereby are repealed, and this act shall take effect immediately.

(Laws 1915, chap. 237.)

An act to amend an act entitled "An act to establish an excise department in certain cities of this State," approved April 8, 1909.

SECTION 1. Section 2 of the act to which this is an amendment is hereby amended to read as follows:

SEC. 2. It shall be lawful for such board of excise commissioners to appoint an excise inspector, who shall hold office for such term, not exceeding three years, as shall be fixed by said board, at a salary not to exceed the sum of \$1,200 per annum, which shall be paid in the same manner as the salaries of the other city officers, and to prescribe his powers and duties.

**METHYL ALCOHOL.**

(Montclair, N. J., Reg. Bd. of H., Dec. 8, 1914.)

Article 2, section 1, of the sanitary code was amended by adding thereto the following clause: "The sale or exposure in a public place of wood alcohol, either with or without the admixture of other liquids, is hereby declared to constitute a nuisance unless the container in which it is sold or exposed is conspicuously labeled 'Poison.'"

[This digest will be continued in a subsequent issue of the Public Health Reports.]

X.